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**Legislative Assembly
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of Debates
(Hansard)**

Thursday 4 November 1993

**Journal
des débats
(Hansard)**

Jeudi 4 novembre 1993

Speaker
Honourable David WarnerClerk
Claude L. DesRosiersPrésident
L'honorable David WarnerGreffier
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Thursday 4 November 1993

The House met at 1003.

Prayers.

PRIVATE MEMBERS' PUBLIC BUSINESS

PUBLIC SECTOR COMPENSATION

Mr Turnbull moved private member's notice of motion number 28:

That, in the opinion of this House, taking note of the government's decision to require the public disclosure of compensation paid to executives of companies which are publicly traded in Ontario; and

Believing that the government of Ontario should apply the same standards of accessibility and accountability to its own operations that it applies to individuals and companies in the private sector;

This House urges the government to immediately introduce legislation necessary to provide for the disclosure annually in the public accounts beginning with the public accounts for the 1993-94 fiscal year of the following information:

The details of the salary paid to the deputy minister and the four other highest-paid bureaucrats in each ministry of the government, the Premier's office and the Cabinet Office;

The details of the salary paid to the five highest-paid political staff in each ministry and the Premier's office and the Cabinet Office;

The details of the salary paid to the five highest-paid executives in each crown corporation;

The details of any non-routine loans made or guaranteed by a government ministry, agency or crown corporation to any of the above individuals;

Information on benefits paid to any of the above individuals that add significantly to compensation;

Information on compensation paid to a senior public sector executive, senior executive of a crown corporation or senior member of the political staff who left during the fiscal year but would otherwise have been among the highest-paid group;

Information on any contract that would result in a senior public sector executive, senior executive of a crown corporation or senior member of the political staff being paid more than \$100,000 as a result of being dismissed or having to change duties;

The details of the compensation paid to the directors of crown corporations.

The Deputy Speaker (Mr Gilles E. Morin): Pursuant to standing order 96(c)(i), the honourable member has 10 minutes for his presentation.

Mr David Turnbull (York Mills): At the outset of the debate, I just want to point out that the reason I'm not moving forward today with my private member's bill with respect to vital services bylaws is because I feel it was adequately debated last week with respect to Bill 95. I thank all of those people who have sent petitions in support of my bill. Also, I will be continuing to pursue that issue in committee so that all municipalities are

given an opportunity to be able to enact vital services bylaws.

Turning to my resolution, I note that the Minister of Finance, in his statement to the Legislature about disclosure of executive compensation, had two key quotes:

"By making these changes, we are responding to investors who have urged that Ontario set higher standards of disclosure....

"These changes give shareholders the information they need in order to compare a company's performance with the way it rewards its top people."

He further quoted:

"After public reaction and discussion, we have decided that the interests of shareholders are better served by fuller disclosure. These changes show our commitment to helping investors make informed decisions, the basis of a healthy financial system."

Those are the comments of the Minister of Finance of Ontario when he made his statement on 14 October. When the Minister of Finance was asked at his press conference following that whether he believed in the same kind of standards being applied to the public service, the minister suggested that he was pursuing this through the Chair of Management Board and that they were going to review public sector compensation disclosure. Asked whether he personally was in favour of it, he said yes, he personally approved of such disclosure. I thank the Minister of Finance for that endorsement of what we're moving forward with today.

I would point out to the honourable members that in fact the wording of my resolution virtually identically mirrors the wording of the government's announcement as to what it was going to apply to the publicly traded companies for full disclosure. The reason the government has said that it needs such disclosure is so that minority shareholders will have a better view into the affairs of those companies to identify whether they are being properly managed.

Additionally, there is a requirement for certain charts to be published by these public companies showing their performance against a broad range of companies in the same sector so that those minority shareholders will be able to compare the performance of those companies with similar companies and see whether they're better managed and if there's any relationship with that compensation, which leads me to my resolution.

There's a great feeling that exists today that there is not enough public disclosure of what civil servants and political staff are receiving. If we are to regain the confidence of the public—and there can be no doubt that there is a great deal of concern in the public today for the activities of politicians and governments at all levels in terms of the responsibilities as to how they are spending the taxpayers' money—it would seem reasonable to use those same standards that the Finance minister has come forward with to have that type of disclosure.

We have taken exactly the same criterion of the top

five from each ministry and crown corporation. We've taken the top five bureaucrats and the top five political staff in terms of compensation, and the two are well balanced because we know that within a ministry or within the Premier's office you have career civil servants and you have political staff who come and go.

1010

If indeed these rules were enforced, I would emphasize to you that it would not just be the present government that would be faced with that kind of disclosure; it would be any successive political party that was fortunate enough to get the favour of the electorate. Those same standards of accountability would be applied.

This is part of a three-pronged approach the Conservative Party is bringing forward to ensure that we lift the veil of secrecy which exists in the public sector.

I would urge the government to support this resolution. It is reasonable and it would take away some of the cynicism that exists, because there is a feeling that no matter how one tries, one cannot find out how the government is spending the taxpayers' money. If we can regain the confidence of the taxpayer, we can start to solve some of the problems we have.

If we don't have the confidence of the public, then we see that order starts to break down. We have only to look at the sector of taxation to see how this erosion of confidence in what government is doing is affecting even the revenues of government. People are beginning to find it acceptable to buy cigarettes and alcohol on the black market, which is a very serious threat to the continued resources of the treasury, which I'm sure, Madam Speaker, you recognize your own government is most concerned about.

The efforts we're making, as I said, are three-pronged. My colleague the member for Dufferin-Peel, Mr Tilson, introduced Bill 108 to amend the Freedom of Information and Protection of Privacy Act to provide for the release of information on salary and benefits, job classification and responsibilities of persons employed in the provincial and municipal sectors. I can say that when we have tried to identify certain compensation within the public sector through freedom of information, we have met with very little result. Usually the information that we get back, after many, many weeks, is all blocked out, all of the vital information.

Additionally, my colleague the member for Dufferin-Peel has just brought forward a private member's bill to amend the Labour Relations Act to make available to the public information about compensation paid to the presidents and other executive officers of trade unions. Despite the freedom of information act, this information is privileged. In fairness, there are indeed some trade unions that do disclose such information, but not all of them, and the members of those trade unions surely have a right to it.

My colleague the member for Etobicoke West, Mr Stockwell, introduced Bill 114, which parallels the efforts of the minister and in fact completely mirrors what our resolution is today. This is a resolution. He is bringing forward a bill to exactly call for the government to

enforce these same rules of full disclosure.

I just want to read some of the reactions we've had to this move by me to put forward this ballot item.

The Board of Trade of Metropolitan Toronto says that it is in full support of anything which promotes full disclosure of finances in the public sector.

The Canadian Federation of Independent Business: Judith Andrew, the director of public policy, said that she is supportive of anything to enhance the accountability of government to the taxpayer. "Public accountability involves anything that illuminates the use of public moneys by government. Crown corporations should be under public scrutiny."

A further endorsement by Ontarians for Responsible Government says: "If corporate executives whose salaries are paid by shareholders are being forced by the NDP to disclose their income, then surely bureaucrats who are paid by the province's taxpayers should also have their salary figures published. What's good for the private goose should be good for the public gander."

In an article in the *Globe and Mail* by Terence Corcoran, he states, "Indeed, on the very day Mr Laughren rose to support pension fund rights for information on corporate salaries, the Provincial Auditor was telling reporters he would not approve the annual report of the socialist paradise casino party."

The Acting Speaker (Ms Margaret H. Harrington): The member's time has expired. I thank the member for York Mills. Are there other speakers who wish to address the member's resolution?

Mr Jim Wiseman (Durham West): I'm very pleased to rise today to address the resolution from the member and to say that as far as this resolution goes, I don't think I have any problem in supporting it. I would like, however, to go through and outline where there are some drawbacks in this resolution.

If we are to examine some of the sections, I think we need to have a much broader definition of what we mean by a "public servant." I don't think it's sufficient to have it just relate to the provincial sector, because I believe the public has the right to know how much their school board directors make. I think they have a right to know how much the commissioners make at Metropolitan Toronto. I think they have a right to know how much the salaries out of the public purse are paying in terms of the political staff for the opposition parties in this Legislature. I think they have a right to know a whole host of information.

I would like to see that perhaps work can be done to expand the definition to administrators of hospitals. We don't know what administrators of hospitals make. We know there was an article in the newspaper a few months back, or a year back, I guess, now, about one administrator who had a car, had a penthouse apartment, had a really lucrative salary, between what amounts, we don't know. I think, in terms of the employees who work in those institutions and are now taking cuts, the disclosure of the salaries of people who administer those hospitals should be revealed. I think the salaries of the people who work at the Ontario Hospital Association should be revealed in that they get money indirectly from the public

purse. I don't think we should be restricting this resolution solely to the ones that are listed in this resolution.

In fact, I would take it even another step further and suggest that people who are private contractors that are being paid in any sector, whether it be the colleges, whether it be the universities, that all of these things should be revealed, and the perks that go with them.

Mr Turnbull: I don't quite understand. Explain what you mean, contractors.

Mr Wiseman: I'm talking about the directors of the universities, the presidents of the universities, the presidents of colleges: whether they have houses included in their stipend, whether they have chauffeur-driven cars, whether they're paid on the basis of mileage, whether they're paid all sorts of different perks. If you're talking about revealing what the public purse is paying for, let's broaden these definitions and make sure we have an understanding out there that we're talking about chairmen of regions, commissioners; we're talking about whether they have cars, houses and a whole host of things.

In fact, I think this government has moved in the direction of disclosing some of these by creating the review committee on the government agencies for public appointments and by publishing a book so that everyone out there knows what is in fact being given out in terms of public appointments. That's the first time it's ever been done. I think this is something we need to be sure to continue.

In saying this, I recognize that to do what the honourable member is suggesting—and of course I've said I support that—it will take legislation. We will know the public's preoccupation at this time is on jobs. We need to move ahead with the creation of jobs, and we have many pieces of legislation before this House that will do that. These pieces of legislation need to be passed. I would ask at this point that if we could rely on the opposition to get that legislation through, then we can certainly move on these other pieces of legislation we have common agreement on. I think it's important that we recognize that the creation of the crown corporations—that we get the community economic development legislation through, because this will allow people to help themselves. It will allow them to create jobs in the community.

1020

I think we need to recognize that there are other problems that are inhibiting the job creation agenda. We need to have banks that will lend money at a reasonable rate, that will lend money to people who need it below the level of \$5,000. So I think we have a lot of work there and we have a lot of legislation on the agenda. While we support this and while we would like to see this happen in terms of legislation, I think that if we can get the other legislation through quickly—I call upon both opposition parties to help us do that—then we can turn to this very important piece of legislation that needs to be done as well. So I say to the member, let's consider that it needs to be a broader piece of work and that what we'll do is then try to expedite it.

The Acting Speaker: Are there further speakers on this resolution?

Mr David Ramsay (Timiskaming): It's a pleasure to rise in my place today to speak to this resolution. It's a resolution that I agree with. It's too bad that my colleague who just preceded me in his diatribe is coming out against it, because while maybe it is not as all-encompassing as some may want, I think it's a very good start. I know in my riding I get many complaints from people wanting to know what their public officials are being paid. While I would like to see this expanded, obviously, into school boards and, like my colleague says, hospital board chairs and administrators, and I agree with that, I don't think that's any reason why we should not support the commencement of this procedure, and I think that's before us today with this ballot item that we're debating.

It starts to deal with basically the highest-paid people in the Ontario government, and I think that's a good start. If we are to require people in the greater public service to be disclosing their benefits packages, then I think we have to start with our own shop, the Ontario government. So I think it is a good start for this. It would start to set the standard and be an example to other people in the public sector, because I think the greater public who foot the bill, and all of us as taxpayers foot the bill, need to know and have some certainty as to what our public officials are being paid. Then they can basically make their own judgement as to whether those officials are being paid adequately or maybe too much.

I think that's their right as taxpayers, as we all foot that bill, that taxpayers want a little more empowerment. They want to have a sense of control, they want to have a sense of what's going on and of whether there is value there in the money that is being expended. I think taxpayers don't mind paying taxes as long as they believe there's value there for that expenditure. What taxpayers don't like to see is, number one, frivolous waste and, number two, extravagant salaries and extravagant benefits packages. If the public doesn't know, if there's no disclosure, then how can they make that judgement? If we're to regain some credibility in the political process, in the whole political system, credibility by our taxpayers in our institutions and in politicians and in civil servants themselves, then I think we have to have full disclosure.

We certainly realize this on the political end. We have full disclosure of MPPs' salaries and of MPPs' benefits. In fact, we go beyond that and we disclose fully what our assets are, what our liabilities are. These are all on record at the Conflict of Interest Commissioner's office on Bloor Street, and I think that's right. I think people should know what our interests are. I think this needs to be brought forward to the top officials in the public sector, in the public service. All we see in the paper is the range of deputies' salaries.

Mr Norm Jamison (Norfolk): What about regional government?

Mr Ramsay: I think all of that, yes. My colleague across the way is saying what about regional government, municipal government. I believe anybody in the public sector is accountable to the public, and I think that's one of the drawbacks of working in the public sector, that I think taxpayers have a right to know.

So I think, as we might all agree, that for now this

resolution maybe doesn't go as far as we would like to see. It's a good start. Maybe if we start to set the example and say we're going to put our own house in order, we're going to have disclosure of the top five salaries being paid to ministers' staff, to the civil servants in each ministry, I think that's a very good start.

I'd like to go through some of this because it goes beyond those that I've just mentioned. I think very important are the five highest-paid political staff in each ministry and the Premier's office and Cabinet Office. I think that again would be a very good example for us to set to the rest of the public service, that it's going to be starting from the very top all the way through.

In this day of restructuring, of reinventing government, we see government inventing new organizations. We call them in government schedule 4 agencies, crown corporations that are becoming quite independent from government: schedule 1, 2, 3 through the newly formed schedule 4 agency, 4 being very independent. We should know what those crown employee executives are making also. The resolution does talk about that, that "The details of the salary paid to the five highest-paid executives in each crown corporation" also be disclosed. I agree with that.

It also goes on to say, "The details of any non-routine loans made or guaranteed by a government ministry, agency or crown corporation to any of the above individuals." Again, from time to time such deals are struck. I think the public needs to know why they are struck and the details of those particular arrangements. When we don't know and we start to hear these things, they leak out, then we start to believe the very worst of such an arrangement. Therefore, I think if there is a strict disclosure of any arrangement such as that, people would have more confidence that the arrangement is sound, that it's an honest arrangement. I think people need to know that and be assured of that.

Also, "Information on benefits paid to any of the above individuals that add significantly to compensation." What the member is saying is that the total benefits package, basically, should be disclosed. I certainly agree with that.

What we find from time to time is that when people leave this place there are compensation packages that are negotiated. Many times those packages are extremely rich. I guess they are called in business parlance "golden parachutes." People get very angry when any sort of inordinate type of compensation package is awarded to any sort of official. If this is to go on for whatever reason, then I think it has to be justified, and to be justified it has to be disclosed. Therefore, I agree with the member that these compensation packages that are paid to "a senior public sector executive, senior executive of a crown corporation or senior member of the political staff who left during the fiscal year but would otherwise have been among the highest-paid group" also be disclosed. I agree with the member that this be there.

Also, "Information on any contract that would result in a senior public sector executive, senior executive of a crown corporation or senior member of the political staff being paid more than \$100,000 as a result of being dismissed or having to change duties." Again, I would agree with that, that all types of compensation and benefit

packages negotiated between top crown employees and the government should be disclosed.

In conclusion, I would agree with the motion that's been set forward today. I think it's a very good motion. As one of my colleagues has already said, maybe it doesn't go far enough and maybe we should be looking at the greater public sector, but I think this is a good start. It sets the example for the provincial government, and until we get our own house in order, who are we to ask other people in the greater public sector that they should enforce such a disclosure law? I think this is a good start, I support it, and I hope it has the support of all the members today.

The Acting Speaker: Are there further speakers to the resolution from the member for York Mills?

Mr Leo Jordan (Lanark-Renfrew): I'm certainly pleased this morning to have a few minutes to talk on this resolution in support of my colleague who has very well brought this resolution forward.

The concern here is that the Minister of Finance is bringing a government bill forward to disclose the salaries of the top executives in private sector companies under the guise of protecting the shareholders so that they would know the salaries being paid by the company because of them being shareholders.

But the point is that we the voters, we the public, are all shareholders in all aspects of government. Regardless of what agency it is or what ministry it is, we're all individual shareholders. I think we have a right to know what salaries are being paid to the people we have put our trust in to direct these agencies, government ministries and so on.

I can tell you from my experience on the municipal level of politics and at the county level that it's very frustrating to go in and set a budget if you're reeve and chief executive officer of the municipality and you don't even know what your administrator is being paid. You may find out in different ways, but technically and legally that salary is not made known. The salary range is there at the municipal level, but not the level in that range at which that person is set. So as you go to set up a budget, as you go to report to your electorate, you cannot comment on those top three or four executive positions.

1030

I find it difficult when the member for Durham West indicates that this resolution is not complete enough for him to support because it doesn't cover all aspects of the different areas that should be covered, and yet the resolution is very relevant to these areas of concern as we see them today, and the Minister of Finance, as I said before, is bringing forward a bill to request that those positions in the private sector declare their salaries in the interests of the stockholders or shareholders in that private company. I'm sure the people of Ontario are entitled to that same information relative to government and government agencies.

Other members of my caucus, the member for Etobicoke West and the member for Dufferin-Peel, are bringing forward bills to deal with this on a larger scale, all using this resolution as a base. But those bills, as

brought forward by those members, will also add to the information that is required by the public, as will the bill that the Minister of Finance is bringing forward to release information on private enterprise.

All we're asking is that the government take a good look at the bills being brought forward by the members of our caucus, along with this resolution today, in that we are looking at the whole aspect of declaring this public information—labour unions, private companies, ministries, government agencies and so on—that these salaries be made known to the people generally.

Of course, when you just separate the private sector and say that those people should have to declare for the good of the shareholders, I find that difficult to understand when we have deputy ministers and all these other executive and director positions within government not being given the direction that their salaries should also be made public.

I don't want to belabour this too long; I just want to support my colleague who has presented this resolution very well this morning. It's difficult to understand: for instance, you're sitting on a hospital board and you're trying to work the budget for the hospital, the cost of operating the hospital, and you don't even know what your top employee's salary is. You don't know that. Actually, that chief executive officer-administrator at the hospital is really an employee of that board and of the people generally who support the hospital with grants coming from Ontario—

The Acting Speaker: Order, please. If you are conducting a conversation, would you please conduct the conversation somewhere else. The member for Lanark-Renfrew has the floor.

Mr Jordan: I know my colleagues are very interested in this. I'm also interested in their conversation. I'd like to be part of it later.

The bottom line is that the minister of revenue is bringing forward the concerns about the private companies relative to their shareholders, and is not taking a broader view of the whole aspect of government: public service, municipal administration, county administration, regional administration. All these are areas of concern, especially in these difficult economic times, and I strongly urge, as a start, that we support this resolution today.

Mr George Mammoliti (Yorkview): I want to thank, of course, the member who introduced the resolution for giving us time to debate and to talk about the necessity of this item. I quite frankly agree with the member and I certainly would vow to do my best in trying to get some sort of change in this particular area.

But there are a number of questions I'd like to ask the member while he is in the Legislature and listening. I look at the resolution, and I read the resolution, and I wonder why the resolution is very specific in and around the areas of highest-paid salaries. Why the question? I ask the question because I certainly don't understand why the member is only referring to the highest-paid bureaucrats, the highest-paid political staff, and in one part of the resolution, he talks about staff being paid more than \$100,000 when they leave as well, whether they have

been let go or whether they have voluntarily resigned. Why the top-paying jobs? I can't understand that.

Mr Turnbull: Say that again.

Mr Mammoliti: The member asked me to repeat it again and I certainly will. Why only the top bureaucrats, the highest-paid positions? Why are we not talking about all public sector employees? Why are we not talking about middle management? Why are we not talking about even the grass-roots bureaucrats? Why can't we talk about that in this resolution? I'm not too sure what the process is in terms of amending resolutions, but that's certainly a suggestion I'd like to make.

I think if you look at some of the books in the public sector, you'll find that even some of those middle bureaucrats are making well over \$100,000. Some of them have credit cards, and some of them have the spending sprees that some of us find to be a little disturbing. Why shouldn't we talk about that?

That's certainly a question I'd like answered by the member across. I'm not going to take a lot of time because, quite frankly, looking at the resolution and actually working in the bureaucracy myself before political life, I've asked these questions for years. I can remember statements I've made and speeches I've made in the past that refer directly to this. Why are we not disclosing? When we find salaries to be an average salary in the bureaucracy, why at the end of the year do we find that the bureaucrats are making a little more than that? What's happening? Disclose it.

The question I'm looking forward to having answered is why? Why just the top bureaucrats? Why the highest-paid bureaucrats and political staff members? Why not everybody? That's something I'll close in asking.

1040

Mr Jamison: I'd just like to add some comment at this point in time. I find the resolution one that I could very well be favourable to, but it's very narrow and focused. I know that when I look at the experience that I've had in the area of disclosure, we had the chair of one of the hospital boards in Toronto in front of a committee, for an example, and when asked directly by the committee—

Mr Anthony Perruzza (Downsview): Point of order.

The Acting Speaker: Excuse me. The member for Downsview, on a point of order.

Mr Perruzza: My point is this, Madam Chair: You generally go in rotation, and we just spoke as a party—

The Acting Speaker: Thank you to the member. I do realize that. There were no other members standing. The member for Norfolk.

Mr Jamison: I don't know if there's a signal being sent there or whatever, but if there is, it's—I'd just like to say that to broaden the point of view on this resolution I think is very important, very important indeed. To narrowly define whose salary should be made public seems very pointed. For an example, when I have a superintendent of my school board making well in excess of \$100,000 a year, I'd like that to be made public also.

Having said that, I support the last speaker.

Mrs Elinor Caplan (Oriole): The interesting thing about working at Queen's Park is that often you try to be in two places at once. At the present time, while I'm participating in this debate, I'm also sitting at the standing committee on finance and economic affairs. The elevator was a little slow, so that was why I was a few minutes delayed in coming to my place.

I believe the bill that is before us this morning by Mr Turnbull is one we should look at in two ways: First is its basic principle, and second are the policies that flow from the principles.

What I'd like to say is that I believe in the underlying principles of public disclosure. To me, those are liberal values of accountability and openness and they are a requirement of the kind of integrity that I believe we need not only in public life but in fact whenever we are talking about governments, or even the private sector. The concept of accountability and integrity and openness is something I not only hold dear but practise at every opportunity.

I believe we have seen, and rightly so, a lot of progress made in this jurisdiction over the last number of years which has enhanced openness and accountability as principles overall of integrity. One of the things I was proudest of as a member of the Liberal government in 1985 was that our very first piece of legislation to be tabled in this House was the freedom of information legislation. The flip side and the other name of that legislation is also the protection of personal privacy, and that is a very important principle to understand when we discuss openness and accountability, because we are accountable to two.

In corporations and business organizations, we expect accountability by the management to their shareholders, and similarly, in government we expect accountability by management—the government, the bureaucracy—to the shareholder: the taxpayer, the voter, the constituent. These are important principles that, as I said, I do hold dear.

We've seen movement not only in the area of freedom of information, access to government records and government information; we've seen recently a piece of legislation tabled which requires greater openness in the corporate sector.

I'd like to say quite frankly at this point in time that I believe there are a number of reasons why Ontario, and Canada in fact, should have consistent rules with their trading partners and consistent rules particularly continentally in North America.

The reason for that is that we have multinational corporations. If you have one set of rules in one jurisdiction and another set of rules in another jurisdiction, it can be confusing, and when shareholders of that corporation often live on different sides of the borders, it seems to me that it is a reasonable expectation of the shareholders that wherever possible, government will bring in rules that will simplify for the shareholders their access to information, and that it will be the same information available to them whether that company is headquartered in New York state or Ohio or Michigan or Ontario. The principles of having those kinds of similar

rules for disclosure are very important, and I'm supportive of the legislation the government has brought forward which would disclose information that I think the shareholders of companies and corporations have a right to know.

On the other hand, today we have a resolution by Mr Turnbull which goes beyond those basic principles. As I read the resolution, he is calling for specific salary details. When I was in government, I was not only proud of the freedom of information and protection of privacy legislation; I was also very proud of the fact that we made available for the first time disclosure of salary ranges. That's good human resource practice. People applying for jobs should know what the job range is. When you are offering a job, you publicize that in your advertising. It's also extremely important that taxpayers, people who may not ever be interested in knowing, know what that job pays.

It's also very important that we realize that where a person is within that range is not relevant knowledge that an individual need know. All they need to know is that the person doing that job is within a range which is open and public and available information. That achieves the correct balance between freedom of information and protection of individual personal privacy.

I'll be specific. You may know that the salary range for deputy ministers—and I will say hypothetically because it does change from time to time—today is between \$90,000 and \$120,000. Whether a specific deputy is earning \$90,000 or whether that specific deputy is earning \$120,000 is not as important as knowing what that range is and knowing that all deputy ministers are earning within that range. If anyone is earning more than that, is earning outside the range, I believe that should be disclosed. It should be disclosed in an open and frank way so that nobody is deceived. That's the point; you mustn't deceive by saying, "This is the salary range," when this individual may be earning well outside the range. The taxpayers have a right to know if the government is paying people above the salary range, and I think that's an important principle.

It is my view that if we're going to err on the policies based on these principles and you have to choose which side you're going to err on, I believe we should always err on the side of openness, we should always err on the side of accountability and err on the side of the public interest, which is knowledge. Recognizing that, Mr Turnbull's motion, while it is deserving of support in principle, is quite simplistic and intrusive in an unnecessary way in its implementation and its request for detail. I think it crosses that line in a way which could be inappropriate. I'm not saying it is or it would result in that, but I have concerns and want to express that because I believe in individual right to personal privacy protection. I am concerned that this resolution, if it were to go forward intact and without thoughtful discussion and debate as to what the policy implications would be, could well have an inappropriate and negative impact on individuals.

I don't mean this in a partisan sense, but I find it interesting that it's taken the Tories in Ontario such a

long time to come to this position. During the four decades the Tories were in power, the hallmark of their administration was no freedom of information, no access to information, no disclosure, no openness and very little accountability. I'm pleased to see that they have seen the light and I'm pleased to participate in this debate.

The Acting Speaker: Thank you, the member for Oriole. Further participants in this debate.

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Mr Perruzza: It's a pleasure to participate in this. While I agree essentially with the thrust of the resolution that's before us that's been brought forward by my Conservative colleague from York Mills, I believe this is an important thing to do, but I don't believe for one minute that it should somehow stop at this list.

I've had the good fortune of being able to be a trustee and a municipal councillor and I've seen the operation when people get elected to office, when they run, when they actually get elected and start doing the work, and the cosy relationships that develop between the political wing and the administrative, the bureaucratic wing. Quite frankly, the bureaucrats call the shots. They have the information, they have the expertise, they have the longevity. They're here for ever; we are not. Many of us fly-by-nighters, we fly in on the GO train and then we're taken right back out again on the first tidal wave. These guys stick around and they basically determine what they're going to get in terms of compensation and so on.

I believe the public out there should know right down to the nickel what people are getting in terms of remuneration and compensation. But my caution, and yes, there is a caution in all of this, is that once that happens and once you disclose what people are making in the private sector, you will find that people in the public sector, because a lot of them are simply in it for the money—a lot of them are good public servants who have the public trust at heart, but a lot of them are not—will claim, “We want equal pay for work of equal value and equal responsibility.”

If you have some executive from some corporation making \$500,000 a year, I tell you that the deputy ministers in this place will claim to want the same thing. Otherwise, as Ross Perot coined the phrase, that sucking sound is going to happen in the public sector. There's going to be that sucking sound out to the private sector and you'll lose all the talent. That's the caution I give you this morning.

The Acting Speaker: Thank you. The member's time has expired.

Mr Turnbull: We've had, generally speaking, agreement with the intent of what I've proposed here. There have been some interesting points made, and typically the point most often made is that perhaps this resolution isn't broad enough. I did allude in my opening comments to the fact that this is part of a three-pronged approach being brought forward by the Conservatives. This started with Bill 128, the bill introduced by my colleague the member for Dufferin-Peel, Mr Tilson, on June 19, 1991. It is titled An Act to amend the Law related to the Freedom of Information and Protection of

Privacy. In this bill, Mr Tilson goes a long step towards getting complete disclosure of public officials in the broader public sector.

As my colleague the member for Lanark-Renfrew has pointed out, one of the great problems that elected officials at municipal levels have is that while they're responsible in the eyes of the electorate for expenditures of municipalities, they often don't have all the information, because they're precluded from knowing the compensation of senior staff in municipalities and in regions. The same has been said of administrators of hospitals. We've all heard these stories of very excessive pay packages, including all kinds of additional benefits such as cars, credit cards and houses being provided to them. The same can be said of school boards.

Yes, indeed, this debate today, in the application of what we have put forward, is relatively limited. The reason for that limitation was purely to try to mirror those measures which the Minister of Finance is proposing to bring forward. My colleague the member for dump site west—I beg your pardon, Durham West—had suggested we should include such people but also suggested we should not have this bill move forward until the government's measures are all finished with.

The interesting thing is that the government has put on notice the fact that it will be moving to enforce that the top five officials of publicly traded companies will have to disclose their compensation and benefits. Perhaps in the interest of expeditious movement of this bill, the government, in view of the fact that it seems to be in agreement with it, should amend its bill so that it does not include just the senior executives of corporations publicly traded but in fact includes all of the people we believe should be open to public scrutiny. My colleague the member for Yorkview suggests perhaps everybody who is on the public payroll should be open to scrutiny. It's the taxpayers who are paying for it, so why not?

There are all kinds of arguments that have been made about why executives of public corporations should not have their salaries disclosed, and it's been suggested that this will pose a significant risk to them because they might be kidnapped as a result of it. I have to tell you, kidnappers tend to have other sources. They're not just reading through the disclosure of the securities exchange as to whether they're good targets for kidnapping. I believe that's a somewhat bogus argument.

I do believe we should expand the area of public disclosure. Whether it should go to every single person or not, I'm not sure, but it would be appropriate that we have a full and open debate and committee hearings on this so that the public interest could be served.

The suggestion was made by the member for Durham West that in fact the government was only moving forward with job-creating policies. I would ask him, what jobs were created by Bill 40, the amendments to the Labour Relations Act? I would suggest that was a job-killing piece of legislation. If ever we have seen a piece of legislation in this present Parliament, Bill 40 undoubtedly has to be rechristened the “job-killing act,” because we have seen the erosion of the confidence of companies to invest in Ontario.

It is not by chance that Ontario is still suffering the worst ravages of the recession as compared with other provinces in Canada. In fact, the mood present in Ontario is so much more gloomy than other provinces, which I would suggest is probably a great deal due to the stripe of the government we've got.

The suggestion was made that perhaps the political staff of the opposition parties should be disclosed. Absolutely; of course they should. There should not be a different standard applied to the government than the opposition parties. That is perfectly reasonable and I would absolutely welcome it if we were able to move forward with the bill proposed by my colleague the member for Etobicoke West, Bill 114, which exactly mirrors the wording of my resolution.

My suggestion would be that any move by the Minister of Finance to move forward with his legislation for public disclosure of salaries of the top five officials of publicly traded companies should be amended to include the top five salaries of political staff and civil servants, and political staff not just of the governing party but of the opposition parties. That is perfectly reasonable, because the public is paying the bill and wants to know, much in the same way as those people who buy shares listed by a public company want to know. The difference is, of course, that if you buy shares in a public company and you're not satisfied with the performance of that public company, you can sell the shares. You're not able to get out of paying taxes. There is the difference.

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When we look at the tax burden that we have in this province, which is the most excessive of any administration in the whole of North America, then we have to question what is happening to the expenditures of government and we must scrutinize those expenditures of government. Over and over again we—my party, the Progressive Conservative Party—have made the assertion that the government doesn't have a revenue problem, it has an expenditure problem.

I haven't done the exact math, but if you were to take the last budget that a Progressive Conservative government brought down in 1985 and adjusted for inflation, you would arrive at a budget which would be radically different from the budget this government has or indeed the budget the last Liberal government had, because they were much more frugal. They may have made many mistakes. I certainly wasn't around. I wasn't involved with the party in those days. They may have made mistakes, I don't deny that, but the fact is they were much more fiscally responsible than either the Liberals, who went on a complete spending binge and raised taxes 33 times, or the present NDP government, which has raised taxes 22 times in just three years and has raised almost every conceivable fee, squeezed every drop of money out of the province, to the detriment of future governments.

That is why when we make the assertion that this is an expenditure problem that we have in this province, the only way you can address it is by the public being cognizant of the expenditures. You start out by explaining what you are paying to your senior staff, much in the

same way as public companies are being asked to explain how much they pay to their senior executives. Indeed, the government is calling for charts and comparisons with other companies in their sector for their performance so that investors can compare the performance of a company and take into account the compensation of those officers.

I would submit to you that the same type of approach should be made, in which the government would be obliged to submit to the public each year a comparison of what it is paying to its staff, the numbers of staff and how its performance compares with other governments in Canada and other administrations around the world. I think the jury would be very interested in this evidence.

The Deputy Speaker: The first ballot item has expired.

COMMUNITY REINVESTMENT LEGISLATION

Mr Marchese moved private member's notice of motion number 27:

That, in the opinion of this House, since small and medium-sized businesses in Ontario created 85% of all new jobs between 1979 and 1989, employ nearly two million people with a payroll of \$44 billion, and are vital players in our province's economic renewal; and

Since small business claims the major federally chartered banks and provincially regulated financial institutions unnecessarily restrict access to capital for small business, creating a credit crunch; and

Since the Bank of Canada says small bank loans—which small business rely on—declined between 1990 and 1992, while loans to big business increased during the same period; and

Since the survival of many small businesses and the prosperity of Ontario is threatened by banks and financial institutions that are not doing their fair share of small business lending; and

Since Canada's major chartered banks recorded healthy profits during this recession; and

Since nearly half, or 44%, of Canada's bank deposits come from Ontario depositors, giving the province of Ontario a direct interest in where this capital is reinvested;

Therefore, this House urges the government of Ontario to call upon the new federal Minister of Finance to convene a meeting with provincial finance ministers on the economy, at which first ministers will work to ease the credit crunch facing small business; and

Urge the new federal government to call a national summit meeting with banks and business representatives, to discuss small business financing; and

Request the new federal government to introduce a community reinvestment act—as the United States federal and state governments have—requiring all deposit-taking financial institutions to recycle a minimum portion of their loan portfolio within the communities which provided the deposits; and

Support a federal community reinvestment act that is structured to promote full employment by supporting small business and community economic development; and

Introduce a community reinvestment act in the province of Ontario following the introduction of similar federal legislation; and

Ensure that Ontario's proposed legislation to regulate provincial financial institutions removes impediments which restrict access to capital for small business, allowing Ontario's financial institutions to play a greater role in the province's economic renewal.

The Deputy Speaker (Mr Gilles E. Morin): Pursuant to standing order 96(c)(i), the honourable member has 10 minutes for his presentation.

Mr Rosario Marchese (Fort York): It is my pleasure to introduce this resolution before this House, and I would say that many people are looking forward to this debate. In fact, many are eager to talk about this issue, not just the members across the floor and some of my colleagues, but businesses, people who are unemployed and people who are looking for economic renewal in this province and in this country.

In this regard, in Fort York I've established a working group with about 50 small businesses to explore ways to address taxation and the paper burden of small businesses, ensure government legislation supports small business and improve access to capital. We have been meeting for approximately eight months, and this is a long process. It isn't an event where you meet, make suggestions and recommendations, and people go back to their homes. It is a long process that these business people have committed themselves to: seeking solutions to the problems I have alluded to.

Why is it important? It's important because we recognize that small- and medium-sized businesses in Ontario created 85% of all new jobs between 1979 and 1989, employ nearly two million people with a payroll of \$44 billion, and are vital players in our province's economic renewal. Here in Metropolitan Toronto, in 1990-91 small business created an impressive 20,000 new jobs while big business, on the other hand, has lost 50,000 jobs.

The Fort York Small Business Working Group has made its mandate Ontario's economic renewal and has decided to focus on strategies that will promote a full employment economy. This strategy by itself will not magically create all those jobs that we're looking for, but we say it's a vital part of that economic renewal.

These businesses have argued that taxation and red tape are not the only concerns facing business in Ontario. In fact, they argue that access to capital is the major barrier they face today. They say that if they could get the capital they need to expand and hire more people, they would be supporting the province's economic renewal and helping reverse the decline in our revenues.

I want to thank the members of the Fort York Small Business Working Group for assisting me with this resolution. Since we have introduced it in this House, we have been flooded with calls from people who support this and want to engage in the debate.

The problem, as we see it, and the reason why this resolution speaks to this matter is that the focus needs to be on Canada's financial institutions, and we say banks

in particular. Why? Since they are the major source of capital for business.

Small business claims that the major federally chartered banks and provincially regulated financial institutions unreasonably restrict access to capital for small business, creating what we call a credit crunch.

The Bank of Canada says that small bank loans, which small businesses rely on, declined between 1990 and 1992 while, on the other hand, loans to big business have increased during the same period. The survival of many small businesses and the prosperity of Ontario is threatened by the banks and financial institutions that are not doing their fair share of small business lending.

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Let me give you just one example. Just this week, as many of you saw in the Toronto Star and Financial Post, my riding's small business working group intervened on behalf of a Toronto company, Argord Industries, that was scheduled to be auctioned off today after being forced into receivership by the Toronto-Dominion Bank. We succeeded in delaying the auction so that the owner, who employs 45 people, could seek new investors in his company.

To many people, this example was indicative of the insensitivity of big banks, of big financial institutions, towards small business in this province. The same bank made a \$7-billion loan to American utilities companies earlier this year, but could not find it in itself to continue to support this small Canadian manufacturer needing a credit line of \$150,000.

This is what a spokesperson for the Canadian Bankers Association had to say: "You've got to remember, it's your grandmother's money that's being loaned. Banks are low-risk lenders." Well, how is it that grandma does not mind lending \$7 billion to the American utilities company but grandma minds lending approximately \$150,000 to a Canadian company that's keeping 45 people employed? Why is it that this is going on?

I would say that grandma is more upset and worried that she pays more in taxes proportionately than the Canadian banks put together. In fact, I would say that if the Canadian banks would put in a minuscule amount of their dollars, we could secure our social services in this country, we could put people back to work and put revenues back into this province and Canada and the federal government to be able to do all the things that we want to do in the social service end.

Argord, which hired 28 new employees recently and has work orders in excess of half a million dollars, has no future, according to the bank. As a result, the problem facing governments is that our deficits increase each time a company like this is forced to close by the banks. In the case of Argord, the cost to the taxpayer is over \$640,000 in social assistance and lost revenues.

This case, for me, illustrates the hypocrisy of the banks criticizing government deficits on the one hand while causing unnecessary bankruptcies on the other, forcing our deficits to go even higher. Susan Bellan, a member of the Fort York Small Business Working Group and the chair of banking issues for the Canadian Organization of

Small Business, says, "The banks have no right to criticize Queen's Park or Ottawa for their deficits when they make the problem worse by pulling the plug on promising businesses at the first sign of trouble."

The sentiment was echoed by the Toronto Star business columnist David Crane when we wrote last week, and again today, about the Toronto-Dominion's closure of Argord and urged Prime Minister Chrétien to follow up on his promises to improve access to capital for small business.

We are here to help him keep that promise. Today's resolution, if approved, will send a clear message and a clear signal, both to Ottawa and to the government of Ontario, that urgent action is required.

I want to speak to the special responsibility of the banks. This resolution is aimed primarily at Canada's federally chartered banks, although it encompasses provincially regulated financial institutions as well. Canada's major chartered banks recorded healthy profits during this recession while virtually every other sector of the economy took a beating. We must begin to demand that the banks do their fair share of community lending, given particularly that their risk has been considerably reduced by the Canada Deposit Insurance Corp and programs like the federal Small Business Loans Act.

We must realize that banks are not just like any other private company. They are chartered by the federal government and have exclusive privileges to invest Canada's deposits. As such, I argue that the banks must bear a responsibility to the public that supplies their deposits. Our economy depends on them, and it depends on them working with small businesses.

Nearly half, or \$148 billion, of Canada's bank deposits come from Ontario depositors, giving the province of Ontario a particular interest in where this capital is reinvested. As some of you know, the head offices of all of the major banks are located in my riding of Fort York. You would think that of all the small businesses in the country, the small businesses in my riding would have the best access to these banks. But they don't.

This is a problem shared by small businesses everywhere, and we need to deal with it. That is why this resolution begins the debate in Ontario and begins the debate at the federal level.

I'm looking forward to the debate in this House from my colleagues and the members of the opposition. I look forward to their comments.

Mr Frank Miclash (Kenora): I'd like to begin by saying that, yes, I too will be supporting the resolution as put forth by the member for Fort York. I must say that in my riding I've had a good number of small businesses come forth and actually talk about this problem that they're having with lending institutions.

I think we have to look beyond what the banks and lending institutions are doing for the small businesses across Ontario, and I speak from northern Ontario, particularly northwestern Ontario.

I'm sure the member for Fort York would have been present at the Northwestern Ontario Chamber of Commerce presentations as they presented various resolutions

to the two opposition parties and the government. They brought forth a lot of very positive-type material which showed that it's not only the banks and the lending institutions that are prohibiting small business from flourishing in Ontario, but it also goes back to a little of Bob Rae's government, if I could speak about that just a bit.

If we take a look at what used to be the Ministry of Industry, Trade and Technology, and we have a new word for it today, we find out that the Bob Rae government froze its budget, a very important ministry that was dedicated to the development of small and medium-sized businesses. While government spending rose some 13.4%, this ministry had its budget frozen out.

If we take a look at something else which I was part of in the past, and that of course was the parliamentary assistants committee for small business, this was a very important committee to the small business community of this province. I travelled extensively with that committee. What has the Bob Rae government done to it? It's dismantled this particular committee. It was something which I felt helped small business, but it was dismantled, and I'm quite concerned about that.

We also had the small business development corporation program—

Mr Norm Jamison (Norfolk): On a point of order, Mr Speaker: I chair that committee. That committee is still in existence.

The Deputy Speaker: That's not a point of order.

Mr Gerry Phillips (Scarborough-Agincourt): You're getting action already.

Mr Miclash: Action already. I go back to that committee and the extreme importance of it and the good work it does on behalf of small and medium-sized business. I take a look at the committee and the work that it did.

The other program that I was speaking about when I was interrupted is the small business development corporation program. Here's a program which fuels the private sector. It was a program that was extremely successful. In the past 14 years, it brought in more than \$527 million to small business and created some 26,000 jobs. Again I ask, what has the Bob Rae government done to this particular committee? They've actually axed that particular committee as well.

So I go back to a number of points that were good things that were being done in terms of helping out small business. I indicated at the beginning that I will be supporting this resolution, but I think what the member for Fort York has to do is ensure that his own house and government are in order.

We hear him mention the federal Minister of Finance, who has now been appointed in the new federal Liberal government, and he talks about having the federal minister come together with his provincial counterparts. I'm sure that at the federal level we will see this minister wanting to come together with the provincial counterparts, wanting to work with them, because I know in their plan they indicated a lot about small and medium-sized business and its importance not only to the province of

Ontario, but to the entire country. So I too look forward to that happening. I think that's a very important portion of this member's resolution.

Let me conclude by taking a look at the final part of the resolution put forth by the member. It says, "Ensure that Ontario's proposed legislation to regulate provincial financial institutions removes impediments which restrict access to capital for small business, allowing Ontario's financial institutions to play a greater role in the province's economic renewal."

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I can't agree with that more. I think that's the most important part of the member's resolution, but again I have to get the member to go back and take a look at what this Bob Rae government is doing to small and medium-sized business across the province. I again must go back to the resolutions as presented by the North-western Ontario Chamber of Commerce, a very, very unique scope on what's happening not only in north-western Ontario but across the province.

I must also remind this member that finger-pointing at the federal government, which we know is going to carry on and which will probably flourish in this House, will not be the only answer to a lot of the unanswered questions out there. It's going to have to be the Bob Rae government that is going to have to become more involved to ensure that small and medium-sized businesses flourish across this province.

Mr David Turnbull (York Mills): I'm pleased to rise on this important issue. There can be no doubt that one of the most important things we could do to help small businesses would be to provide funding to them by way of finance, particularly to small and medium-sized companies, finance that to a great extent a lot of companies are finding themselves starved of today. I want to speak about that in some detail. I also want to point out that another very serious and probably even more important issue is the issue of the tax burden that businesses are finding themselves in.

We will be supporting this resolution by Mr Marchese today because we do believe it's important we send out a message that part of the job of helping Ontario's faltering economy lies with the banks. There are many examples of organizations that have been viable businesses for many years having difficulty renewing mortgages and renewing loans.

I will give you the example of somebody who is quite a close friend of mine. He has saved all of his life and put money into an investment. I will be fair; I will say this is an investment in real estate that he bought, maybe at the height of the market. At least you understand that, yes, obviously he's lost money.

But the example is that he purchased this building for \$1.8 million. The banks offered him a mortgage of \$1.3 million, and at the time he purchased it he and his partners, his group of partners—because it certainly wasn't all his money—said, "No, we want to make sure we've got more equity in the building." So instead of taking the \$1.3 million the bank offered, they only took \$1.1 million.

The mortgage is up for renewal within about a month. The bank has offered him 70% of what it considers the value today, which is \$800,000, which would mean that my friend would have to come up with hundreds of thousands of dollars in cash to pay the difference between the current \$1.1 million and 70% of \$800,000 that it's estimated to have as value today.

That's a serious problem. He is contemplating personal bankruptcy. This is a tragedy. This is his life's savings, and it isn't just him. There are about 10 partners in this and they were trying to establish some type of pension fund for themselves because, unlike civil servants and MPPs if they stay long enough, he doesn't have a pension. This was his life's savings and this is what's going to happen. They're going to be wiped out.

When we talk about accountability to the public, and we talked about it in my resolution before, we must consider what is happening in the private sector. It's a very serious situation. There are many companies that absolutely cannot get any renewal of their mortgages under any terms from the banks. We need to send out a strong message to the banks that the banks must be part of the solution of kickstarting our economy.

But I really want to turn to the problem with governments, specifically the problems we find with this present government.

The member for Fort York talks about capital not being available, yet 44% of Canada's bank deposits come from Ontario. That is true, absolutely true. But I want you to contemplate the fact that governments by and large, all governments across Canada, are sucking up huge amounts of funds which would otherwise be available for reinvestment. That is because governments are involving themselves in deficit financing. The impact of deficit financing is inevitably that you squeeze out the private sector, and that is what we've had in Canada for many years.

I remember during the mid to late 1980s the concern that western Canada had, with a great deal of validity, about how overheated the Ontario economy was. Despite the fact that we had massive amounts of revenue coming into the government and the Liberals increased taxes 33 times, they still increased the deficit instead of paying off the deficit. In just five short years, we added \$10 billion to the debt.

Mr Phillips: That's not right. He's incorrect.

Mr Turnbull: I hear my colleague the member for Scarborough-Agincourt saying I'm incorrect. I remember, sir, during a debate during the last election when the suggestion was that the debt hadn't risen by very significant numbers. I was just about to jump with the numbers at the Liberal, who I defeated, when lo and behold, the Libertarian candidate got up with a copy of the budget from both the Liberals and the Conservatives, the last Liberal budget and the last Conservative budget, and pointed out that they had increased the debt of this province by \$10 billion. But that's not what I'm talking about.

I am saying that when governments, and it doesn't matter what political persuasion they are, increase deficit

financing, inevitably the private sector is squeezed out. That's what's happening.

We now know that Ontario has become one of the largest borrowers on the international market. So, my friend, when you say that 44% of Canada's bank deposits are made in Ontario, don't forget that the government of Ontario is in fact sucking in enormous amounts of cash, not just from Ontario-based banks but from the whole world. On the latest list of borrowers in the international market, Ontario lists fourth behind the European Investment Bank, the kingdom of Sweden and the World Bank. They are the only people that are borrowing more on the international markets than the Ontario NDP government, and therein is one of the serious problems that we have in kickstarting this economy, because as you suck up money, it is not available for companies. And, yes, we have to get the banks to spend more money.

Mr Anthony Perruzza (Downsview): How about the Conservatives' GST? How much money has that sucked up?

Mr Turnbull: I hear once again heckling as to the GST. My friend, the GST is sucking up the same amount of money in taxes as the amount that it replaced of manufacturers' sales tax. Check the numbers. This is what is very frustrating, when you rise to debate and you get people who are totally misinformed about the facts, for partisan reasons. Check the numbers. You may not like the GST, but the fact is that it is collecting about the same amount of taxes.

So we are now in the position that Ontario is the fourth-largest borrower internationally. What must we do? We must get government reduced in size, and it has to be done in a reasonable, workmanlike way so that the needy in society are not squeezed. But those people who don't need all of the handouts through government—and that includes some large corporations that are getting large handouts from government. This NDP government has given millions of dollars to Toyota, one of the world's largest companies, a Japanese company, for goodness' sake. They've given them millions of dollars to try to get them to expand in Ontario.

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The answer is, as my friends pointed out, that more jobs are created in the private sector by small companies, so take the burden off small companies. If we could get governments off our backs, we have the fundamentals of a very good recovery in this province, because rental rates have gone down for office towers, rental rates have gone down on a per-square-foot basis for industrial buildings, but the taxes haven't gone down. If you take a look at any international survey of the cost of rental rates of office buildings in the major centres of the world, you will find that Ontario, Toronto, used to be one of the highest on the list in terms of the net rental rates. It is down to a fraction of what it was before; however, the add-on costs connected with it, which means taxes and operating costs, but predominantly taxes, are still among the highest in the whole world.

Mr Perruzza: The GST had nothing to do with it?

The Deputy Speaker: Order.

Mr Perruzza: Your bloated interest rates had nothing to do it?

The Deputy Speaker: The member for Downsview, I don't want to have to remind you again, please.

Mr Turnbull: As my friend across the floor said, bloated interest rates have a lot to do with it. He's quite right, absolutely right. Bloated interest rates come from excessive government borrowing. There's no doubt about it that governments in Canada of every political persuasion have been the greatest source of the problems we have in Canada today. Businesses have done their fair share: Businesses have worked to create jobs. Governments have created destruction of jobs in the private sector. If anybody in any political party wants to look at themselves in the mirror, they will have to admit it, and unless we finally come to terms with this tax burden problem, we will never fix the problem.

Returning to the debate about what we should do, we're going to have to have a very honest debate with all the citizens, all of our constituents, about what the fundamental problem is. Perhaps we need a little more focus about what the problem is, because the problem is that we don't agree on what the problem is. In this Legislature, if you listen to debates, it's as if we're from different planets when we're speaking about the problems.

The public sector is bloated. The last government added thousands to the payroll. They added just to the civil service 9,000 people in five years, at a time when the companies in the private sector were downsizing to make themselves more efficient so they could meet the competition. Believe you me, the workers of Ontario are capable of competing with anybody anywhere in the world. When we have any debate about the merits of free trade—I want to point out that the Premier's Council, the investment panel on which I sit, had a very interesting presentation by Professor Dezső Horvath, who is one of the Premier's appointees. Professor Horvath's conclusion was that not only should we have free trade with the US and Mexico but we should extend it to include the whole of Latin America because therein would be our saviour.

We've got the fundamentals of low rental rates, we've got a relatively well-trained group of workers in Ontario, we've got a relatively good productivity compared with most countries in the world, but we have a horrendous tax burden, and the tax burden has got to be lightened. When we lighten the tax burden by reducing government, we can then start having smaller deficits. Smaller deficits will lead to less government borrowing, and less government borrowing will mean that the banks will have more money to invest. They are going to have to invest the money, but the only way they get their customers is that they put their money in and want to earn interest, and they won't have anything to invest if governments are sucking it up. If you hear that great sucking noise, it's the noise of governments right across Canada sucking up taxpayers' dollars.

Yes, we can have a healthy economy. I am confident about the workers of Ontario. I am confident about the small businesses and medium-sized businesses and indeed the large businesses of Ontario. But I am not confident

about governments, because I don't think the message has got out, not just to you across the floor, the NDP, but maybe most political parties, maybe all political parties: We've got to downsize the amount of government so we don't suck out the energy of our nation.

Mr Jamison: Very interesting comments and interesting theories being put forward in the House today. This resolution that's been put forward is a very good one indeed. It talks about community investment, about community development in the face of global competition.

The banks have turned their attention to the globalization of the marketplace and they've turned it that way with a vengeance, simply dealing the small business community out. The resolution describes the need to expand the ability of provincially financed lending institutions, institutions under our jurisdiction, to become a major player in allowing the small business community to access the needed capital.

The member for Fort York indicated that there are a number of concerns presently in the mind of the small business community: taxation, red tape. This government, in those areas, is moving to unify the tax system. We're moving to clear the path or reduce the paperwork significantly.

But the other point that was made was access to capital. The previous speaker indicated that it is government borrowing that has taken money away from the possibility of lending more money to the small business community. Well, I'd like to bring your attention to the O&Y situation, Olympia and York. When that financial situation developed, the banks all pulled their horns in, and where did they pull them in? They pulled them in at the expense of the small business community that provides the major portion, 85%, of all new jobs being created.

With O&Y suffering financially, O&Y was treated very well throughout that whole situation. The people who weren't treated well were the small business people. What happened to them was that their line of credit was reduced, the very line of credit allowing them to do business and to expand and to continue producing and accepting orders as they come in. Some very good small businesses found their business practices interfered with to a great extent. So when people indicate that the banks are trying very desperately to work with the small business community, and the banks are indicating that themselves, I say be aware that, in my humble opinion, that is certainly not the case.

Banks are a major source of capital, and they're based here. Our national banks are based right here.

The credit crunch in small business is really limiting what small business can do. Government can apply tax credits to hire people who are unemployed, but if the line of credit for small business is reduced or halved or cut to a third, the ability to participate in programs that would benefit small business beyond normal lending is hindered.

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The banks have jumped on the global economy bandwagon, there's no question about it. If we can

convince the federal government to move somewhat in the same area that we're prepared to move, in the area of community economic development, we'll be able to add a new life to the small business community along with other efforts and other things that have to be done, such as reducing the amount of paper. We have reduced the level of taxation on small business in our term. By the sound of the opposition parties, no one would ever know that. That's a message, obviously, they don't want out.

In conclusion, I want to stress that the livelihood of many Ontarians is dependent upon small business. Our hopes for the future creation of jobs is dependent very much on this sector. I support this resolution. I support it strongly because I believe that if the banks are left to do what the banks feel they should have the freedom to do, the small business community will simply be left out once more.

Mr Tim Murphy (St George-St David): I'm very happy to be speaking in favour of the resolution by my neighbour the member for Fort York because, as a member for a downtown Toronto riding, I share many of the same problems in my riding that he faces in his.

Specifically, I have, for example, a small business in my riding which has faced exactly the same problem that a business in his riding is facing. I have written and requested of the Minister of Industry, Trade and Technology, the member for Beaches-Woodbine, to have the Ontario Development Corp assist. I won't mention the name of the company, for obvious reasons, because it is approaching difficult straits, but with some assistance it could get over the hump and continue to provide 100 jobs for people in my riding. I hope the minister, whom I've approached on this subject, will listen to what I've had to say and will find a way within her ministry and within the Ontario Development Corp to assist.

I too have a concern, because the same bank which gave rise to the concern of my neighbour the MPP for Fort York, the TD Bank, has recently closed a branch near Moss Park in my riding. Many people who live there, who are disabled, seniors and others, have difficulty going a long way to banks in order to do banking, and this is going to be a real problem. We have met with bank officials, to be fair, who have listened but have not found it in their hearts or pocketbook to help and assist. We are looking for other alternatives. Again, I hope this government will assist. We're looking towards perhaps a credit union that can assist others. I hope the minister will listen as we move forward and will be able to assist us in that regard as well.

I'm happy to see this. I think this is only part of a small business strategy, which frankly I have not seen from this government. I took a look at the list of legislative priorities that was leaked out of the NDP caucus's meeting up in Barrie a few months ago and a community reinvestment act wasn't on that list. Maybe they've changed their mind; I hope to see it.

But I am concerned too about the impact of taxes. That's a major cause of heartache for businesses, why they're not able to hire more and expand. This government, unfortunately, has added to that burden. I can think of the taxes on insurance premiums which is going to be

a very real increase in cost for people, and it's not something they can avoid or duck or move around. In fact, I suspect that's why the government imposed it.

I hope they are going to look not just at this and not just blame other levels but think about what this government can do, because I think there's a lot it can do and should do and is not doing. I hope the member for Fort York, in his good efforts on this point, will be able to convince his colleagues in his own cabinet to do some good work in other areas as well.

I thank you for the opportunity to speak and I look forward to supporting the resolution.

Mr Perruzza: I'm going to be supporting this resolution, as I suspect all members of this House are going to be supporting this resolution, because it makes an awful lot of sense. Not only does it make sense as you go through the "whereases," but it makes sense when you get down to the "therefore." I urge all my colleagues to support it as well.

We're here this morning talking about small business. There's a difference between small business and big business. Small business has a name, has a face, there's an individual there or a number of individuals. You can see them, you can touch them, you can feel them, you can talk to them. Big business has no face. They have hired faces. They project images on people, and quite frankly small business, that individual, more often than not is completely overlooked, overlooked by government, overlooked by many of our institutions which are there and are supposed to be taking care of small business.

Who is and what is a small business person? Has anybody asked themselves that question? I'll tell you what a small business person has to be. They have to be an accountant. They have to be a public relations expert. They are risk-takers. They are hard workers. More often than not you find small business persons burning the midnight oil. They are personnel managers. They are inventors. They are creative individuals. They are artists. They are innovators. They are multitrades people.

What are they asking of us? They're not asking anything else of us other than they're saying: "We need access to money. We need to have cash when we need to do business." They do not have the cash because banks are persecuting small business. The minute they deposit money in the bank, the bank takes it and it squeezes their credit. They squeeze their credit until there's nothing left.

Where do the banks' lending criteria speak to what I call grey-matter equity? Where do they take into account the ability of a small business person? Where is that in their credit policy statement? I'll tell you where it is. It's nowhere to be found, because all the banks are interested in is bottom-line equity. We all know what's happened to the equity over the last while in the recession. It is gone. Bottom-line equity is gone. It's not there. That needs to be replaced with what I call grey-matter equity—ability, creativity, innovativeness—and that just isn't there. It's really unfortunate that we as a provincial government have no power in the face of that.

I say support the resolution, and my message to the new Prime Minister, Mr Chrétien, is, "You better strap on

your big boots and you better kick some bank butt if you really mean to do what you say you mean to do, and that is create jobs," because small business, and it's shown time and time again, is the biggest creator of jobs.

1150

Mr Phillips: I'm hopeful of supporting the motion, but after hearing that drivel and nonsense, you've almost talked me out of it. If in fact you believe that sort of nonsense, then we're in more trouble than I thought we were.

Having said all that, I don't think there's any doubt but that many of our small businesses are facing a crunch in terms of their funds for their businesses, and there's no doubt the banks are having difficulty dealing, in all instances, with small business. I happen to think the resolution will advance the issue of, how do we help ensure that our small businesses have the necessary debt and equity financing? I think having an opportunity for governments and the banks and the public to discuss the issue has a lot of merit.

I don't buy what I call the nonsensical rhetoric of the member for Downsview. That doesn't help a reasoned debate around this. It simply is drivel.

I'm looking forward to the banks, government and small business having a rational, logical discussion around this. That's why I can support the motion and hope that the member who's supporting it doesn't support that nonsense I just heard from the member for Downsview.

Mr Stephen Owens (Scarborough Centre): I'm quite pleased this morning to stand up and support the resolution by the member for Fort York. I want to talk this morning about some of the things the government is doing with respect to the financial institutions that fall under the control of provincial jurisdiction; first, credit unions and caisses populaires.

The government set up an industry-led committee to review the Credit Unions and Caisses Populaires Act, which has not been reviewed for many years. I'm pleased to tell this House today that we will be bringing forward legislation in the very near future that will update and modernize the credit union act.

As we all know, at the credit unions and caisses populaires in our communities are the kinds of people the member for Fort York described as people you live beside, people with whom you do business. These are the kinds of financial institutions that our government—not wanting to give a competitive edge to credit unions and caisses populaires, but to put them on an equal footing so that they can offer the kinds of creative financial services and financial instruments small business particularly needs, not only to survive but to grow and flourish in these tough economic times.

The second, and just as important, initiative that we're undertaking is a review of the Loan and Trust Corporations Act. I think all members in the House, particularly in the two former governments opposite, have had examples of trust company failure and the kinds of difficulties that result from these kinds of failures, which are catastrophic for the investor, the small business

person, the grandmother, the small business owner in your community who have investments in trust companies. They are a multibillion-dollar industry, but they deal in your local neighbourhood. We are going to provide legislation, again, to provide them with the instruments that they need to compete on a equal basis with the banks.

The third issue we are involved with in terms of community economic development is a task force on legislative review that I'm personally involved in, and that's the review of the Co-operative Corporations Act. We see that as being a process that will dovetail quite nicely with the credit union review and the loan and trust act review, as well as the broader financial services review that has been ongoing since our party took government in 1990.

It's our view that in this province we have a very competitive financial services market, and we're certainly not doing enough as a government or as an industry to promote the kind of financial services industry that we have operating within our jurisdiction.

With that, again I want to tell the member for Fort York that I support his resolution. He has been a leader within caucus on community economic development issues and I urge all members on all sides of this House to support the resolution.

Mr Carman McClelland (Brampton North): I want to say to the member for Fort York that I appreciate his efforts in bringing this issue forth for discussion. I'd like to concentrate on that word for a moment. I think we do need to have some discussion, and some fruitful discussion, with all levels and players, if you will.

Reference has been made to the federal government. I note that during the consultation with the people of this country not too long ago, not quite two weeks ago, during that period of time much was said about small business. It seems to me, as my party's critic and advocate for small business, that as I travel across the province, one of the frustrations businesswomen and businessmen tell me is that there's a tremendous amount of lipservice paid to many of the things we talk about, but oft-times government fails to act on that.

To the extent that the good offices of the Premier and people in financial senior portfolios can be brought to bear to negotiate and work with banks in assisting the dilemma that many small businesses are in, I applaud the member's efforts.

I hasten to add that I want to distance myself, with all due respect to my friend from Fort York, from the kind of rhetoric we've heard from the member for Downsview. I wish he were here right now because I don't want to make that comment in his absence, and if he's in the lobby I hope he can come in.

Quite frankly, I think that kind of inflammatory rhetoric in the long run doesn't serve anybody's interests. We're beyond the point of drawing lines in the sand and castigating the banks as institutions that are without a sense of responsibility. I agree fundamentally that there needs to be some movement. Small businesses need to have some sensitivity. But to paint an adversarial rela-

tionship into heightened, almost inflammatory rhetoric, in the final analysis serves nobody very well.

I think it also important to note that there has been some response from the banking community. I note, by way of example, and I'm sure the member for Fort York would be aware of this, that the Canadian Bankers Association is sponsoring a conference at the Toronto Westin Harbour Castle November 7 to 9. I hope that he, together with some of his caucus colleagues, would drop in and visit and have a sense of some of the things that are taking place and the dialogue and the interchange and the exchanges that are taking place as the financial institutions in this country recognize the realities that we're facing in this province, indeed in this country.

I take some pride in the fact that the new Prime Minister of this country—I was going to say "the Prime Minister designate" but I understand he would have been sworn by now—during the debate and the consultation with the people before the election of October 25 indicated that he had as a cornerstone of his economic plan and development strategy a focus on small business.

He worked with Mr Paul Martin and other individuals, Chaviva Hošek, a former member of this House, in developing strategy that encompassed as part and parcel of that strategy accessibility to funding. I think of the concept of venture pool capital that has been bandied about and brought up again in the last federal election. I would hope that the Minister of Finance of this province would, at the convening of a first ministers' or financial ministers' conference, reintroduce that idea and seek to find ways that the province of Ontario could be supportive and cooperative in developing that.

I also want to put on the record that I hope my friend from Fort York and members of his caucus would perhaps use their good offices to look to the loan collections procedures. I say that as directly as I can. When I think of the province of Ontario, I think of some of the new ventures loans that are out there. I hear from small businesses that the collection squeeze by that albeit arm's-length agency of the Ontario government is very onerous and that there could be some latitude and that we can look in the mirror as well as looking outside. There's much that we could talk about of what is the role of the provincial government, and we're not here to debate that today.

I would just hasten to add that the fourth paragraph of the member's good efforts here says that the survival of many small businesses is threatened by banks and financial institutions. Financial institutions and banks and access to money is an issue. It is not the only issue and there's much else that we need to do. To the extent that the resolution addresses the issue with respect to financing—

The Deputy Speaker: Thank you. The time has expired.

Mr McClelland: —I applaud the member, I thank him for his efforts and hope that it'll move us towards a reasoned, thoughtful debate.

The Deputy Speaker: Thank you. Your time has expired.

Ms Margaret H. Harrington (Niagara Falls): First, I would like to thank the member for Scarborough Centre for all his work with regard to credit union legislation. I think members on all sides realize how much that is needed, and the other initiatives needed to keep local dollars invested in local communities for economic development.

I truly believe that small businesses, medium-sized businesses, as Mr Marchese says, are very important and do create 85% of the new jobs in this province. I'd like to say that this, to me, is very important because I represent Niagara Falls and I believe it is reality that we probably have more small business per capita in Niagara Falls than any other area of the province. That's why I insisted on joining the parliamentary assistant's committee on small business 2½ years ago. What we did was an initiative called Clearing the Path, which is to reduce red tape. In fact, I remember the budget of 1992, where the small business tax was reduced. That doesn't happen very often, and that was a direct result of the work that Mr Jamison did with this committee.

I want to tell you, Mr Speaker, that I see in Niagara Falls many small business people coming to me, whether they own motels or other small businesses, in desperation. These are desperate times and the banks have not been cooperative. I remember last spring being up at the top of Commerce Court with a group of small business people and they said to me, "The banks are a problem."

Finally, Mr Speaker, I want to tell you that my husband is now, this month, starting a small business, and I know the absolute struggle that he has gone through. So I call upon this government and the federal government to help small business.

The Deputy Speaker: The member for Fort York, you have two minutes to reply.

Mr Marchese: I want to congratulate and thank all the members for speaking. It's too difficult and there's too little time to name them, but I want to thank them for participating in this debate.

I want to as well say to Mr McClelland, about the invitation that he was extending me, that the \$500 it costs to get there makes it impossible for me to be present, but I thank him for the invitation.

With Mr Turnbull, I must say there is one thing that we agree on—we do indeed cohabit a different hemisphere, perhaps three different hemispheres. On that we agree. I have heard a lot of myopic and unimaginative suggestions from the opposition. This I must say: While I accept the fact that they agree with the resolution, in terms of what else they suggest, in my view it's completely unimaginative.

I want to say that the tax burden, the red tape, is not the problem.

Mr Turnbull: Your government has no responsibility.

Mr Marchese: Most of the people in my work group are not NDPers. Susan Bellan, the chair of banking issues for the Canadian Organization of Small Business, says, "The banks have no right to criticize Queen's Park or

Ottawa for their deficits when they make the problem worse by pulling the plug on promising businesses."

Let's not create false dichotomies between the economy and the social services that this government provides. This resolution says that we can and should do both, that economic renewal is possible by giving access to capital to small businesses. If we can do that, we get revenues we need to keep the social programs that this country needs to keep on doing.

I want to add that we have done many things, and I'm willing to share some of the things that this government has done. There's very little time to share them, but I will pass them on to some of the opposition members who obviously have no clue about what this government has done.

By relying on private capital, a community reinvestment act also recognizes that governments have limited resources with which to create jobs. All the government job creation programs in the world won't help us achieve full employment if the banks are busy pulling the plug on Canada's small businesses, throwing more people out of work and increasing the deficit.

I invite small business people to write to me and support this resolution.

The Deputy Speaker: I'd just like to remind the members that when the Speaker stands up, you have to take your chair. Also, I'd like to remind you that the speakers are completely cut off, so whatever you say is not heard.

The time provided for private members' public business has expired.

PUBLIC SECTOR COMPENSATION

The Deputy Speaker (Mr Gilles E. Morin): We will deal first with ballot item number 33, standing in the name of Mr Turnbull. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Turnbull has moved private member's resolution number 28. Is it the pleasure of the House that the motion carry? Carried.

Mr David Turnbull (York Mills): Excuse me, Mr Speaker, it's number 33.

The Deputy Speaker: That's what I said: Ballot item number 33 but resolution number 28.

I declare the motion carried.

COMMUNITY REINVESTMENT LEGISLATION

The Deputy Speaker (Mr Gilles E. Morin): We will now deal with ballot item number 34. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Marchese has moved private member's resolution number 27. Is it the pleasure of the House that the motion carry? Carried.

All matters relating to private members' public business having been completed, I do now leave the chair and the House will resume at 1:30.

The House recessed from 1205 to 1330.

MEMBERS' STATEMENTS

COURT FACILITY

Mr Robert V. Callahan (Brampton South): It's always been my position that justice should not be a political issue, it should be based on the genuine needs of communities. When we were in government, the Attorney General of the day, Ian Scott, announced that there would be a new court complex constructed in Brampton, which is the seat of the region of Peel's justice system. We have heard a number of announcements thereafter. The then Attorney General, Howard Hampton, also announced that this would take place.

It has come to my attention from senior justice officials within that region that they have severe concerns that perhaps Brampton will be overlooked and that in fact a project will take place in another area. In looking at what other area they're speaking of, it causes me concern that in fact politics is creeping into the administration of justice, that the decisions that are being made are being made on the basis of who happens to be the member of what political stripe in that particular riding.

The region of Peel is perhaps one of the fastest-growing areas in North America. We have the airport there, which of course increases the case load. If what the senior officials have told me is correct, I urge the Attorney General to drop the political side of it and to get on with the job that was promised by Ian Scott, by Howard Hampton and, hopefully, by this Attorney General.

ESWAR PRASAD

Mr Jim Wilson (Simcoe West): It gives me great pleasure to rise in this Legislature to salute Dr Eswar Prasad who has been chosen as the first recipient of the Collingwood community development award of excellence. I wholeheartedly commend the town of Collingwood for its selection of Dr Prasad, president of Sensor Technology Ltd.

Not only has Dr Prasad helped to put Collingwood on the global technology map, but his company stands as a working blueprint, the type of industry that Ontario needs to attract and promote if it's to regain prosperity in the 1990s and beyond.

In 1992, the Canadian space agency launched its first microgravity rocket, which included a ceramic furnace built by Sensor Technology. Sensor will also be a participant with CSAR-2 in 1994 and has been chosen for inclusion on the planned space station Freedom.

Another exciting project engineered by Dr Prasad and Sensor Technology is the creation of an acoustic levitation system for processing materials in space. This device will enable manufacturers to move and position objects in space by using sound.

Thanks to Dr Prasad, Sensor Technology is making impressive and vital strides in the advancement of Canada's technology base as well as enriching the economic development in the Collingwood community.

I encourage all communities in Ontario to follow the lead provided by the town of Collingwood. The town has demonstrated its commitment to industrial development by establishing this important award and by bestowing it upon such a worthy and dignified individual and com-

pany.

ROYAL COMMISSION ON LEARNING

Mr Tony Rizzo (Oakwood): On the 30th of this month the Royal Commission on Learning will be holding a public meeting in the city of York.

For my part, every effort is being made to let the constituents of Oakwood riding know about this meeting and the importance of getting involved in this process.

I wish to take this opportunity to voice my support, loud and clear, for the work the commission has undertaken and for the need to improve the quality of education in this province. We all know that the issues we face are complex and require the involvement of parents, educators and legislators if we are to create a dynamic for real change.

Not a day goes by that I do not hear or read about the serious problems in our schools. The most common complaints raised by my constituents are threefold. They are the perceived lack of discipline in schools that serves to undermine the entire educational process; the failure of the system to teach little John or Jane to be able to read, count or write, even after having graduated; and the feeling that the system is weighted down by a bureaucracy too big and complacent and by too many school boards and trustees that consume tax dollars that would be better spent on our children.

These are very serious complaints, and I hope that parents in particular will assist the royal commission in producing the necessary answers. With the establishment of this commission our Minister of Education, Mr Cooke, has already shown he's determined to tackle the challenges that face our government in preparing the province's educational system for the future.

GLEBE CENTRE

Mr Hans Daigeler (Nepean): Recently I received a letter to the Premier from the Glebe Centre in Ottawa. This centre is a non-profit voluntary organization that has provided care and services to the elderly of Ottawa-Carleton since 1889.

The Glebe Centre board of directors is very concerned about the NDP government's plans for multiservice agencies in the long-term care field. Like many other similar groups, they fear the erosion of the role of voluntary organizations in long-term care. They argue forcefully, and rightfully so, that volunteer boards have played an essential role in providing health and social assistance in Ontario.

To replace these organizations with an administrative superstructure would put further distance between the people being served and the people serving them. Community boards allow the institutions to respond best to local needs and priorities.

As the Glebe Centre said in their brief to the government, "The elderly client has developed a personal trusting relationship with their neighbourhood-based home support service; many may not wish to be linked to a large bureaucratic organization."

I encourage the government, therefore, to recognize the important role played by local community-based groups in the provision of community-based services and to

permit flexibility in the development of its new multi-service agency.

EXPENDITURE CONTROL IN MISSISSAUGA

Mrs Margaret Marland (Mississauga South): People who live and work in Mississauga are very fortunate. While many governments and utilities have increased taxes and energy rates, the city of Mississauga and Hydro Mississauga are giving their residents and customers a break.

This year the city of Mississauga achieved a 1% decrease in property taxes, bringing taxes back to the 1990 level. Council achieved a tax cut by continuing to follow its pay-as-you-go philosophy. Because Mississauga does not build new facilities or introduce new programs unless the money is in the bank, the city does not have to pay debt service charges.

Now Hydro Mississauga has announced that next year, electricity rates will drop an average of 3.4%. Hydro Mississauga has the lowest overall electricity rates in the greater Toronto area.

I know that everybody in Mississauga joins me in congratulating the city of Mississauga and Hydro Mississauga for their sound financial management.

Bob Rae's big-spending, high-taxing government could learn a lesson from Mississauga. If people have money left over to invest and spend, our economy will grow. That means giving Ontarians tax breaks, not tax hikes. But since the NDP was elected in 1990, the average family's provincial tax bill has jumped \$633 a year.

I would suggest that the Premier seek advice from the council of Mississauga and the hydro commission of Mississauga: Mayor Hazel McCallion, chairman Alan Bradley, vice-chairman Ron Starr, Donna Howard, Ken Newton and general manager Karl Wahl.

JOBS ONTARIO

Mr Donald Abel (Wentworth North): Yesterday the Honourable Brad Ward and myself toured several locations in Dundas, Ancaster and Flamborough that benefited from the Jobs Ontario program.

During our tour we had the opportunity to visit the Greater Hamilton Technology Enterprise Centre in the town of Flamborough. The GHTEC is a high-tech business incubator administered through the Business Advisory Centre of Hamilton-Wentworth. As we toured the facility, Ron Wallace, the executive director of the BAC, told us, "Jobs Ontario is working and working well."

Based on this comment and many others like it, I would like to suggest to opposition members, who insist on continually condemning the NDP government's Jobs Ontario program and other job-creating initiatives, talk to the construction workers who are now working at St John's Anglican Church in Ancaster, the Dundas Public Library and talk to the thousands of others in this province who have gained employment through Jobs Ontario, and perhaps you should talk to the executive director of the Business Advisory Centre of Hamilton Wentworth.

Mr Wallace was spot on when he stated, "Jobs Ontario is working and working well," and I think it's a shame that the opposition refuse to recognize that fact.

1340

PHARMACY AWARENESS WEEK

Mrs Barbara Sullivan (Halton Centre): The month of November marks the first national program of Pharmacy Awareness Week, and the Ontario Pharmacists' Association is playing a key role in the provincial portion of that campaign. Today and tomorrow pharmacists are available, through an information line, to answer consumers' questions about their medications. These two days are specially set aside to highlight the work they do with consumers on a day-to-day basis.

People who are anywhere in the province can call their pharmacist for advice, and not just about prescribed medications. Although over-the-counter drugs are available without a prescription, they are potent enough to cause considerable harm. Many individuals try to diagnose and treat their own symptoms and don't take the selection of non-prescription drugs as seriously as they ought. People should be aware that these medications are very powerful, can cause side-effects and can adversely interact with prescription medications.

Today and tomorrow, as I've indicated, people can call pharmacists for advice. Pharmacists are health care professionals with particular expertise in knowing the implications and contraindications for medications. If anyone has questions about their medications, they can call an information line at 1-800-463-6479. We salute the pharmacists for offering this service.

JUNIOR KINDERGARTEN

Mr Ted Arnott (Wellington): In the spring I sent a comprehensive questionnaire to people in Wellington county, asking for their opinions on a variety of issues. Over 1,000 people responded. One of the questions in the questionnaire was, "Do you believe that the government should require school boards to provide junior kindergarten?" Some 80% said no.

The Wellington County Board of Education is also opposed to mandatory junior kindergarten, yet the government insists that the board make plans to provide mandatory junior kindergarten. Our public board conservatively estimates that the operating costs of junior kindergarten will be about \$4.5 million per year.

Ironically, \$4.5 million is the total operating budget for Family and Children's Services of Guelph and Wellington County. It is my understanding that this agency will see its budget cut by about \$75,000 under government plans to claw back money received from parental contributions and children's special allowances.

Our children's aid agency, whose work is so essential, estimates that the financial impact of the government's plan will have three times the impact of the social contract. This organization cannot withstand cutbacks of this magnitude without jeopardizing the lives and wellbeing of the children it serves.

As Moe Brubacher, the executive director of Family and Children's Services of Guelph and Wellington county, states: "We've cut all the corners we can. My question is 'Which of the essential services we provide should we cut?' You can't put abused children on a waiting list."

A program like junior kindergarten, with very little public support in Wellington, becomes a government edict and a priority, while at the same time the government is pillaging the bank accounts of children's services organizations. I say to the Premier: Take your junior kindergarten. We don't want it. We don't need it. But give us enough money to look after the children who need our help.

FIRE PREVENTION AND PUBLIC EDUCATION AWARDS

Mr Gary Wilson (Kingston and The Islands): I would like to take this opportunity to acknowledge the 1993 Fire Prevention and Public Education Award winners. Today the Solicitor General and Minister of Correctional Services presented plaques to 22 groups and individuals who have generously given their time, energy and resources to promote fire safety and prevention. I'm proud to say Mr Jim Lyon accepted, on behalf of the Kingston area office of Bell Canada, a plaque this afternoon.

Leaders in the fire service across Ontario will tell you that fire prevention and public education are essential to saving lives and protecting property. That's why it's important to recognize the organizations and people who have won the 1993 fire prevention awards. What they have done is extremely important. They have not only helped to save lives but have also worked to change the attitudes of people in this province towards fire. We're talking about people who care enough about their families, their friends and their neighbours to join with the government in working for the safety and wellbeing of others.

On behalf of all Ontarians, I extend to the 1993 fire prevention award winners a heartfelt thank you for their actions and their help. I ask all members of this House to join me in showing their appreciation for the leadership of the award winners present in the gallery today.

VISITORS

The Speaker (Hon David Warner): I invite all members to join me in welcoming to our Legislature this afternoon, and seated in the Speaker's gallery, participants from across Canada and Alaska to the National Ombudsman Conference. The delegation is headed by Mrs Roberta Jamieson, the Ombudsman of Ontario. Please welcome our guests.

LEGISLATIVE PAGES

The Speaker (Hon David Warner): I would also appreciate all members joining me in thanking our current group of pages. This is their last day of service. I think all members will agree with me that our pages have served with great distinction. They have served both the members and the assembly, and this would be a good time to thank them for their service.

VISITORS

The Speaker (Hon David Warner): Before proceeding and recognizing the honourable member for Durham East, I would also invite all members to welcome to our midst this afternoon a former member from Lambton, Mr David Smith, who is seated in the members' gallery west. Welcome.

The honourable member for Durham East.

Mr Gordon Mills (Durham East): I would like to ask unanimous consent of the House for myself and one member of each opposition party to say a few words in regard to Remembrance Day.

The Speaker: Do we have unanimous agreement? Agreed.

REMEMBRANCE DAY

Mr Gordon Mills (Durham East): This coming weekend we will once again celebrate Armistice Day in our towns and our villages across Ontario. It's a time to remember, a time to look back at times past, sometimes with a happy smile and sometimes with a great deal of sadness.

As we remember and honour those who gave their all, we can also remember wartime experiences that are forever etched in our memories.

I'd just like to say today that I can remember the wartime sausages which my mother suggested were made with sawdust. They were touched with herbs, which allowed us to eat them.

I remember an hour or two before the imminent invasion of Great Britain, there was a newspaper seller down the road, and he pitched his tent outside of a pub and he had a board proclaiming these words. He said, "Chin up, don't look so solemn. Nuffin's 'appened yet. Why worry about tomorrow? T'aint 'ere yet," a message to dispel the gloom of the threatened invasion.

I can also remember Mr Churchill's famous speech: "We will fight in the streets, on the beaches. We will never surrender." I can say that that speech made my hair stand on end.

This weekend, many stories will be exchanged in the local Legion Hall. The sadness felt as we remember will also be intermixed with laughter as many an incident from time past is recalled.

Time of course has taken its toll of the veterans we gather to honour, but we gather to honour them in a very special way because they are our friends. We pause today, amid the challenges we face in the changing world as legislators, to honour the veterans who made our being here possible. We honour those who served in the campaigns of the North Atlantic, in northwest Europe, in Italy, in North Africa and in the Pacific. We honour those who gave their lives at Dieppe and in the defence of Hong Kong, the battle of Ortona, the Normandy invasion and the Battle of Britain.

Let us also remember and honour those who gave their lives for peace in the Great War.

1350

Today we also honour all who gave their lives in peacekeeping actions around the world.

The wars have taken a terrible toll. Thousands lost their lives fighting for our freedom. Today that freedom is brought home to all of us here in a meaningful way. We come here to debate the issues affecting our peers free of fear, free of reprisals and free to say what we want. This freedom we share because of those who gave their all.

Mr Gilles E. Morin (Carleton East): Once again we rise in respect of Remembrance Day. I would like to take this opportunity to speak not only about the importance of remembering our past, but about Canadian heroes. Heroes, I should point out, are ordinary persons who accomplish extraordinary deeds. Heroes are the countless men and women who risk and sometimes sacrifice their lives during war because they believe in the cause and the values they are defending.

Today, in 1993, war remains a constant presence. It has even moved a bit closer to us, as Canadian involvement in UN missions overseas illustrates. War has not lessened its grip on the minds of those who would use terror and violence as a means to achieve an end, and the impact of war is no less horrifying and devastating today than it was 50 years ago. It is perhaps more so as humanity, in its infinite capacity for innovation, devises yet new methods of annihilation.

The loss of loved ones remains fixed in the memory of family and friends. They are not forgotten. They are the child, the spouse, the parent, the friend who went away to fight a war and never returned.

Perhaps our society tends to forget that heroes are not some abstract notion that we pull out once a year, but very real people. Some of our heroes were recognized for their exploits and were present to receive military honours. So many others never returned home. They are remembered by the people who knew and loved them best.

Conrad LaFleur, George Robert Paterson, Frank Pickersgill, Lucien Dumais, Ted Wong, John Di Lucia and Ivan Starcevic are but a few known Canadian heroes. One in particular I knew personally, a fellow by the name of Raymond LaBrosse.

Raymond left Canada for an overseas mission in 1940 at 18 years of age. He started out as a signalman with the Royal Canadian Corps of Signals. When the network he operated within was infiltrated by the Gestapo, he was forced to flee France. He later returned to France with a partner, Lucien Dumais, as part of a larger escape network whose main objective was to locate Allied airmen shot down over France and safely escort them out of the country. One can easily imagine the risks involved. A total of 307 Allied airmen safely made it to England. Both Raymond and Lucien returned to Canada.

The same courage that propelled Raymond LaBrosse during the war accompanied him throughout his life. I met with him just three days before his death which ended his battle with cancer. I cannot overstate my profound admiration for his exemplary courage. This is the stuff of which real heroes are made. This we must remember.

Gustave Bieler is another Canadian hero, but one who was not so fortunate. Involved in sabotage activities in France aimed at destroying German troop movements, he was eventually caught by the Gestapo, tortured and executed. He never betrayed the cause.

Frank Pickersgill and John Macalister suffered a similar fate. Pickersgill was a romantic intellectual who had witnessed the Nuremberg rally during a trip to

Germany. Completely opposed to fascism, he longed to do useful work. With a fellow Canadian, John Macalister, he was parachuted into France in June 1943. The two men were to be part of a network involving sabotage. Just a few days into this mission they were captured, then tortured and executed. They too never revealed any information of use to the enemy. This goes beyond the call of duty. What a supreme act of loyalty, of integrity towards one's country.

Lest we forget, thousands of soldiers on the front lines also merit our recognition, for they committed the ultimate act of bravery. They gave their lives. They are our unsung heroes.

In an effort to keep the name and deeds of Raymond LaBrosse alive, I have succeeded, with the cooperation of the city of Gloucester and a local developer, in having a street named in his honour. This is but one way of remembering our war heroes, their courage and their sacrifice. I encourage you, my colleagues, and the citizens of Ontario to seek ways of honouring the heroes in your communities. We must retain in our collective memory the singular heroism of these persons.

Mrs Margaret Marland (Mississauga South): Next Thursday, Canadians will gather at cenotaphs, march in parades and attend services and assemblies to honour the men and women who served in the First World War, the Second World War and the Korean conflict. We will remember the 110,000 Canadians who made the ultimate sacrifice, their lives, so that our great nation could live in peace and freedom.

We will also pay tribute to the surviving war veterans who continue to share their experiences and their wisdom with us. Our veterans ensure that we do not forget the lessons of war. They also remind us of Canada's heritage of personal sacrifice for the greater good of our country.

For those of us who are old enough to have memories of the world wars and the Korean conflict, the pain and the pride endure. There are members of this legislative chamber who grew up in small towns which lost virtually all their young men in battle, towns where hundreds of names on war memorials are the legacy of this tragic loss of youthful potential.

Some of us also have firsthand experience of those wars. Having grown up in England, I have searing memories of the air raid bombing of Liverpool in the Second World War. I have only a child's remembrance of my father, who never returned from the theatre of war. But happily, I also have a husband and relatives who proudly served their country and are still with us today.

1400

However, for our younger generations, war isn't something they have experienced. It is something that happens in some distant land, something they read about or see in movies and on television. Even so, all it takes is to watch the horrifying news footage of other war-torn nations for young Canadians to realize that we are very, very fortunate to live in peace.

Already there are precious few First World War veterans who are still among us. As the generations of our war veterans pass on to a greater existence with God,

we must work harder to remember their struggles and their bravery. Wearing a poppy is one way to remember; the poppy symbolizes the blood of those who fell in battle. We must also continue to hold Remembrance Day services to commemorate all Canadians who struggled for peace and democracy.

Despite our freedom from war on Canadian soil, today there are 2,400 Canadian troops helping to bring peace to troubled areas of the world such as Somalia and the former Yugoslavia. In the tradition of the soldiers who served in the world wars, they are committed to ending oppression, even if it costs them their lives.

When we commemorate those who served in earlier battles, we also recognize Canada's modern defenders of the peace, like our police and fire forces, who risk their lives to save ours. We owe them our gratitude and respect also.

Remembrance Day, or Armistice Day as it was originally called, marks the end of the First World War at the 11th hour on the 11th day of the 11th month. The Great War was supposed to be the war to end all wars, yet the Second World War saw another 50 million people perish.

Wars continue to cause grievous pain and suffering in less fortunate parts of the world. The loss of loved ones, starvation, sickness, bombing raids, mortar fire, wholesale destruction of communities, death camps, prisoner-of-war camps—in too many places these horrors are still part of the routine of daily living. We have a responsibility to help those troubled areas achieve the peace that has blessed our lives. By helping them, we are paying the greatest tribute of all to our war heroes who gave their lives for peace and freedom.

The Speaker (Hon David Warner): I invite all members and visitors in our galleries to stand and observe a moment of silence that we may not forget.

The House observed a moment's silence.

STATEMENTS BY THE MINISTRY AND RESPONSES

PUBLIC SERVICE AND LABOUR RELATIONS REFORM

Hon Bob Mackenzie (Minister of Labour): In keeping with our government's progressive agenda for working people, later this afternoon I will introduce an omnibus bill designed to bring significant change and reform to labour relations in the Ontario public service. There are three distinct yet complementary components of the proposed bill.

Members may recall that two of these components, reform of the Crown Employees Collective Bargaining Act and expanding political rights for crown employees, have previously received first reading in this House. We are now combining those two initiatives into a new bill and adding a third element which will provide whistle-blowing protection for public servants. The result is a package of proposals that is naturally linked and progressive for workers in the Ontario public service.

I'd like to now briefly summarize the essential elements of the bill I will be introducing later today.

To begin, we are proposing to modernize the Crown Employees Collective Bargaining Act, otherwise known

as CECBA, and bring it into line with similar laws in other provinces. We intend to open up the act in a number of ways, primarily by making collective bargaining available to most of the public servants who are now excluded from organizing. We also intend to lessen the reliance on expensive and time-consuming binding arbitration by requiring mutual consent beforehand.

In addition, Ontario public servants will receive the right to strike, but only after essential services have been designated and protected ahead of time. There will therefore be no danger or threat to the public in the event of a strike or lockout.

The reforms contained in this bill will give working men and women in the public sector rights and opportunities they have been requesting for many years. They will also allow the two parties to develop the better working relationships that are necessary to improve both the quality of work and the services government provides.

The Chair of Management Board has been instrumental in bringing CECBA reform forward through consultation and consensus-building. We have been able to build on that foundation in drafting this legislation. The Chair of Management Board is also responsible for the other two elements in today's omnibus bill: providing protection for government whistle-blowers and expanding the political activity rights of crown employees.

Under our proposals, Ontario will be the first jurisdiction in Canada with legislation specifically to protect whistle-blowers. We intend to protect government employees who, in good faith, wish to bring forth allegations of serious wrongdoing in the public interest without fear of being penalized. At the same time, we feel our proposals strike a very necessary balance. We have a duty not only to protect whistle-blowers but also to ensure that allegations are dealt with in a manner that is professional, responsible and fair to all concerned.

Finally, the omnibus bill proposes to expand political activity rights for crown employees. Under our proposals, most crown employees will have more freedom to comment on political issues, to canvass without having to take a leave of absence, and to take a voluntary leave of absence to seek political nomination at any level of government. As a result, crown employees will enjoy freedoms similar to their counterparts in the private sector without threatening the traditional neutrality of the public service.

These are the highlights of a bill that is progressive for workers, practical for government to administer and protective of the public interest, and I urge this House to give it speedy passage.

1410

The Speaker (Hon David Warner): Responses? The official opposition, the honourable member for Mississauga West.

Interjection: Here it comes.

Mr Steven W. Mahoney (Mississauga West): "Here it comes" is right. It's rather ironic for us to sit here and listen to this Minister of Labour trying to patch the wounds of the public servants in the province of Ontario for everything you've done to them so far. This is a great

day for democratic labour negotiating, for the public sector unions finally having their rights protected by this wonderful Minister of Labour.

The whistle-blowing is really quite interesting. This is put out by the Management Board secretariat and it gives an example. It says: "The following example illustrates a possible government scenario. An employee of a government agency provides documents and correspondence to an opposition MPP which disclosed that senior managers of the agency are pressuring their subordinates to falsify data." This government's response? Call the police.

We'd like to know, we're just curious, why do you just not do it? Why do you need to bring in legislation? Why don't you just stop calling the police? I think the police are busy. They don't have time to deal with the Premier's request to attend the member for Bruce's office or the member for Halton Centre's office to ask them: "Where did you get that information? Who was that dastardly civil servant who leaked that brown envelope? We want to investigate you." That has been your *modus operandi* to date.

Hon Frances Lankin (Minister of Economic Development and Trade): You don't understand the concept. Do you understand the concept? That's not what it means.

Mr Mahoney: I know it's sensitive; I know it upsets you. This same government, civil libertarians, my friends say, which has totally destroyed the collective bargaining process with the broader public service—

Interjections.

Mr Mahoney: You can pretend you haven't. Why is it they're no longer sending their dues your way? Why is it that the Ontario Federation of Labour is having a convention, the member for St Catharines tells me, and there may be some calls for a leadership review of the New Democratic Party? They may be asking for this Premier's head on a platter. Could it be, possibly, that by bringing in some omnibus bill under the pretext of attempting to soothe the wounds of the people in the labour movement, they're trying to deflect some criticism away from the Ontario Federation of Labour convention coming up?

Why don't we ask Sid Ryan how he feels, or Buzz Hargrove? The Premier set up the Provincial Labour-Management Advisory Council only to have them quit, saying: "We can't deal with you. You're not a labour government. You don't care about collective bargaining rights. You don't care about the rights of the public servants in this province." You've just totally abandoned everything you ever stood for.

On top of that, this particular legislation was part of a throne speech. The pontificating Premier stood here and said, "We're going to do things differently." In November 1990, we had to sit here and gag while this government and this Premier and this Labour minister tried to pretend they indeed were going to support the labour movement in the province of Ontario. It hasn't worked. You have abandoned every principle you ever stood for.

If you think for one minute that bringing in some omnibus bill, trying to wrap it up as a Christmas package

in time for December 25, I say to the Treasurer, if you think that's going to solve your problems, let me tell you, you're not listening to the union leadership in the broader public service. You don't understand how upset they really are with you.

Let me tell you something else. If you think this is going to stop them in 1996 from demanding all the Rae days that they are currently putting in their pocket and waiting to come out and negotiate with the next government on, this isn't going to stop it. As a matter of fact, this legislation, this omnibus bill gives them a power to come down on the next government: the right to strike. Don't think you can soothe their wounded egos by bringing in nonsense like this.

Mr Ernie L. Eves (Parry Sound): On behalf of our party, I would like to—

Interjections.

The Speaker: Order. We'll reset the clock. I ask the House to come to order. A statement was made. There's an opportunity for both parties to respond. The honourable member for Parry Sound now has the floor.

Mr Eves: On behalf of our party, I would like to say that it's about time. As other honourable members have already pointed out, this is one of the first statements this government made upon being sworn in in the fall of 1990. It's taken them till November 1993 to get around to doing something about whistle-blowing, which they said they would do in November 1990.

I might point out that this bill combines two previous bills with some new aspects: Bill 49 of course was first introduced in this House on June 14 of this year; Bill 111 was first introduced on December 3, 1992, about a year ago.

It wasn't until the Ontario Court of Appeal really told the government, the province of Ontario, that it had no choice that it decided to move on some of these issues.

I want to reiterate a couple of the principles enunciated by the Ontario Law Reform Commission on this very subject. They said, "Public trust and respect is earned through integrity and openness in government, and accountability in government is promoted when public employees understand that they are free to disclose matters of serious wrongdoing and that they will not suffer any adverse consequences for having done so."

I would like to put that in its proper context with this government, which orders OPP investigations into leaks from various ministry offices of wrongdoings by some of their cabinet ministers when they prove embarrassing. That is what this is all about.

Recently, we had a leak from the Ministry of Consumer and Commercial Relations with respect to casino projects. So we sent in the OPP. The honourable member for Bruce knows all too well about OPP officers attending at his office to inquire about another leak.

That is exactly the type of principle that the Ontario Law Reform Commission spoke out against. That is exactly the type of initiative that the Ontario Law Reform Commission several years ago was insisting that the previous government and now this government act upon.

Why has it taken you three years to get around to doing what the Premier said he would do in November 1990, just conveniently, of course, or just by coincidence, after the Ontario Court of Appeal left you with no choice? They said the public servants had a majority of these rights. Now you're finally going to do something about whistle-blowing. All I have to say is that it's about time. We look forward to perusing the legislation.

MEMBER'S PRIVILEGES

Mr Tim Murphy (St George-St David): On a point of privilege, Mr Speaker: I rise on a point of personal privilege, and I've previously supplied you with a copy of the letter.

A few weeks ago I spoke in private members' time in favour of a bill by my friend the member for Willowdale regarding a civil right of action related to hate crime issues.

I've received a letter today in my office from a self-styled communications director from the Heritage Front, and I think it's an attempt frankly to intimidate me and perhaps other members of this assembly in the practice of our responsibilities on behalf of the electorate.

It starts, "When reviewing the videotape record of the zealous dialogue conducted by yourself and other members of the Legislature preceding the introduction of your Bill 56,"—it's actually Mr Harnick's bill—"one cannot escape the feeling that they bear witness to either a Salem witch trial or a re-enactment of the Spanish Inquisition."

It goes on to request that if there are public hearings, the Heritage Front be allowed to come to those hearings. But it ends in a way that I find offensive, and I would ask for your ruling whether this is an attempt to limit my privileges. It says:

"Myself and many others like me regularly put ourselves in harm's way for our ideals and have had to face our fears long ago. The question then, sir, is, do you have the courage to face yours and look deep in the eye of the tiger?"

I will not be intimidated or cowed, Mr Speaker, but I would ask that you look into this affair and see if it is that attempt to influence me in the practice of my privileges as a member.

1420

The Speaker (Hon David Warner): To the honourable member for St George-St David, may I first say that I appreciate the courtesy he extended by informing me in advance of the point he wished to raise and providing me with a copy of the letter to which he refers. While I am not sure on the face of it whether or not he has a point of privilege, I will be most pleased to take a look at it, reserve on the item and get back to him as soon as possible.

May I say in conclusion that I share the deep concern which he has expressed. As he will know, and other members, all members must always have the right to speak freely without fear of reprisal. That's a long-cherished privilege and tradition and one of course which I, among others, will always attempt to uphold. I will get back to the member as soon as possible.

Mr Charles Harnick (Willowdale): On the same

point of personal privilege, Mr Speaker: I too received that letter and I will say that I will not be intimidated by the white heritage hotline groups, fronts and whatever else they want to call themselves.

I only wish to rise and thank the member for St George-St David for his remarks, and also to say that if there was ever any doubt in my mind that this was not a good piece of legislation we should all pursue together, it's now been totally confirmed. I appreciate the support of the Attorney General, the rest of this House who voted for this bill and I hope we can get it passed faster than ever now.

The Speaker: I appreciate the comments by the honourable member for Willowdale.

ORAL QUESTIONS

JOBS ONTARIO

Ms Dianne Poole (Eglinton): My question is for the Premier. This morning Liberal leader Lyn McLeod released a confidential cabinet document which clearly shows that the billions of dollars of Jobs Ontario funding are going to be directed to NDP ridings.

Interjections.

The Speaker (Hon David Warner): Order.

Ms Poole: Premier, over the last 18 months, time and time again in this House we have raised problems with Jobs Ontario, such as fraud, misspending of funding, poor quality of jobs, not enough employers registered and, above all, your government's mismanagement and mishandling of this entire \$1-billion program.

In every instance, you dismissed our concerns and you ignored our concerns. Now your government has decided to establish this secret cabinet committee which will take over the program and direct the money to ridings you choose. Premier, will you finally admit that Jobs Ontario is a failure and will you admit that what we've been saying all along is true?

Hon Bob Rae (Premier): I just want to say to the honourable member that I've rarely heard such rubbish and I'm sorry that the Leader of the Opposition can't be here herself to respond. Let's deal with the facts. This government is spending \$4 billion on jobs across this province and I am proud of that. We are investing more in projects across this province than any government in the history of Ontario and I am proud of that.

I'm also proud to say, and I'm glad the member is here and he's going to be surprised when he hears his name called out, that the member whose riding has received more funds from Jobs Ontario Community Action than any other member in the House is the member for Lanark-Renfrew, who has received nine projects worth \$1.2 million. So I think we should award our congratulations to the member from Smiths Falls.

Interjections.

Hon Mr Rae: The Liberals are experts at dishing it out, but they can't take it and they're going to get it directly from me today because what they have put forward today and what is in the Liberal Star today is absolute drivel and I intend to drive that point home today. If it's such a lousy program, can you explain to

me why, on July 30, Murray Elston was announcing on behalf of the minister of industry and trade the renewal of the library in Kincardine for \$300,000—

The Speaker: Could the Premier conclude his reply, please.

Hon Mr Rae: —why the member for Northumberland was announcing, on the same date, \$1.133 million in her riding on behalf of Jobs Ontario Community Action—

The Speaker: Could the Premier conclude his reply, please.

Hon Mr Rae: —why the member for Cornwall was doing the same thing and the member for St George-St David was doing the same thing?

I have rarely heard such bunk and guff from the Liberal Party of Ontario when it comes to jobs. We're going to be investing across the province.

Interjections.

The Speaker: Order.

Ms Poole: This Premier has so much gall to talk about bunk and drivel, because that's exactly what he's delivered. His very words have proven that he is keeping tabs on who politically is getting this money, riding by riding, and he's decided now that he wants, riding by riding, the money to go to NDP ridings.

Let me quote directly from this document.

Mr Leo Jordan (Lanark-Renfrew): On a point of order, Mr Speaker.

The Speaker: I trust this is important.

Interjections.

The Speaker: I ask the House to come to order. The honourable member for Lanark-Renfrew.

Mr Jordan: I just want to remind my colleague in the opposition party that the statement made by the Premier is more than correct.

Interjections.

The Speaker: Stop the clock, please.

Interjections.

The Speaker: Supplementary.

Ms Poole: I know they say politics makes strange bedfellows, but it's nice to see the Tories and the NDP in bed together. Does this mean the political money will now go to joint NDP and Tory ridings?

I'm going to quote from the specific confidential cabinet document. I might point out that this cabinet document was signed by the Premier's very good friend and campaign manager, David Agnew. I'll quote: "All Jobs Ontario funds be considered an envelope to be administered by the jobs committee of cabinet." If the program was working, then why did you have to create a secret cabinet committee to take it over?

1430

The document goes on to say it will "review capital and Jobs Ontario spending on a geographic basis"—a geographic basis. There is no other way this can be interpreted but that you're going to spend money and create jobs where it will do the NDP the most good.

Premier, how can you justify the creation of a secret

cabinet committee to spend money that was to be targeted for job creation and training as a political gravy train instead?

Hon Mr Rae: A secret cabinet committee is like a secret caucus meeting: There's no such thing. I would say directly to the honourable member, let me give you another example, because you don't seem to be satisfied with the earlier ones.

First of all, in direct response to the honourable member, we're saying that we want to make sure that capital is fairly invested in the province on a geographic basis. Yes, we want to make sure that eastern Ontario gets its fair share, that northern Ontario gets its fair share, that the Niagara region, which has been hit as heavily as any other part of this province, gets its fair share. We're going to be working with the Liberal Party in Ottawa and with the Liberal government in Ottawa to ensure that that's exactly what happens in terms of the Jobs Ontario approach we're taking.

Do you want the Eglinton subway to go through your riding or not? Answer yes or no. Do you think it's fair that we do that, yes or no? You'll be the first one there. You'll be the first one to line up. You'll be the first one there. You'll be there with a hard hat and a pick and shovel saying, "Please, Premier, get me in your picture because I want to get credit for this program."

I've never heard such drivel from the Liberal Party. We're going to make sure \$4 billion is fairly distributed. All the piffle and drivel from the Liberal Star isn't going to deter us from providing jobs for the people of this province right across Ontario. We're not going to be deterred by you or by anybody else in that effort.

The Speaker: Final supplementary.

Ms Poole: Mr Speaker—

Interjections.

The Speaker: Would the member for Eglinton take her seat, please. I ask the government side to come to order. Would the table add one minute to the time. The honourable member has her final supplementary.

Ms Poole: The Premier claims that the reason this special, secret cabinet committee was set up was in order to ensure that these funds were distributed fairly all across Ontario. I've got news for him: Civil servants in this province for decade upon decade have been doing exactly that. That's their purpose, not your political purpose.

Premier, the most disturbing thing about your memo is that it shows very clearly that the real purpose behind this secret cabinet committee is not to create jobs but to use the taxpayers' dollars to further the NDP cause in the next election.

Now, it's been clear that jobs are not the Tories' priority, because they never ask any questions about jobs, but it's equally clear that jobs are not your priority. Your priority is to sell the NDP government to the people of Ontario. Your priority is a public relations scam, using taxpayers' dollars to pay for it.

Premier, if that isn't true, then tell me why in this document the most important task of this committee is

supposed to be communications. Tell me why the establishment of this jobs committee—

The Speaker: Will the member place a question, please.

Ms Poole: —is to be kept “low-key” and “primarily internal” unless you don’t want people to know what you’re up to. Premier, in spite of what you may think, the people of Ontario are not going to be fooled by the 1970s Tory-style pork-barrelling.

My question for this Premier is, why don’t you realize that you can’t buy votes in Ontario and, secondly, why don’t you admit that the cabinet jobs committee is nothing but a re-election ploy for the NDP and cancel it?

Hon Mr Rae: I presume the same criticism will apply to the \$2-billion federal contribution, the \$2-billion municipal contribution and the \$2-billion provincial contributions that are to be expected in the program that was announced by the current Prime Minister in his last election campaign.

The member for Cornwall isn’t here, but listen to what the member for Cornwall had to say on July 30, 1993, when he announced an \$893,000 program in his riding under Jobs Ontario Community Action. What did he say? I’m quoting from him:

“These are projects that will revitalize our city, improve quality of life for residents, promote community-led change and respond to the needs of the people living here,” said Cleary. ‘The short-term benefit is job creation, but the long-term benefits of these cooperative ventures between government, business and members of the community will be greatly welcomed by a city hit hard by the recent economy.’”

I couldn’t have said it better myself. That’s what this government is all about. Your colleagues know it and you’re only too happy to take credit for it when it happens in your own constituencies. There’s a double standard at work in the Liberal Party today.

The Speaker: New question, the honourable member for Halton Centre.

Interjections.

The Speaker: Order. The honourable member for Halton Centre has the floor.

CANCER TREATMENT

Mrs Barbara Sullivan (Halton Centre): Thank you, Mr Speaker. My question to the Minister of Health has a bit of a prelude.

Yesterday the leader of the Liberal Party, Lyn McLeod, and I, along with several other colleagues, were in Kingston for the first hearings of our cancer task force. We met with professionals and patients and I believe that we have some recommendations that will be valuable when we compile our final report. We heard additional concerns from patients and doctors about the extreme pressures that the cancer care system in the province is working under. We hear those concerns almost daily now in the correspondence we receive.

I have a letter from Mrs Giovannini of Rexdale, whose 32-year-old daughter has recently been diagnosed with breast cancer. Her daughter has been told that she may

have to go to Sudbury for treatment because of the continuing waiting lists in Toronto, and the family is obviously very distraught about this prospect. Mrs Giovannini writes, “In order that she would get well, we would do anything in our power, even to mortgaging the house, should it come to that.”

I don’t believe that people in Ontario should be under any impression that medicare will not provide the timely and necessary medical services that they need, and yet they are coming to believe that more and more. I’m asking the minister what she has to say to people who are prepared to mortgage their homes because they don’t believe the health system will work for them any more.

1440

Hon Ruth Grier (Minister of Health): I’m delighted to be able to reassure the member, and in fact any resident who is concerned about access to radiation treatment in a timely manner, that the million dollars which I announced earlier this week with respect to the ability of the Toronto centres to hire radiation technologists is exactly to deal with the waiting list problem that the member has identified. This government believes that what has to happen is some funding, some movement and some planning on the cancer treatment system, and we have put that money in place so that the waiting list she refers to will not exist in the very near future.

Mrs Sullivan: While I agree that the million dollars will go a fraction of the way to assisting people receiving timely care in radiation and other cancer therapies, it is only a fraction and we are only beginning to learn what a tiny fraction it is. We will have that debate on another occasion.

But I want to move in my supplementary to a situation that occurred earlier this week, when reports in the press indicated that there were some conclusions that had been drawn through the Institute for Clinical Evaluative Sciences with respect to the way breast cancer cases are being treated in Ontario. That report has not been formally presented and the formal presentation of that report will not occur for another two weeks approximately.

I believe it’s important that the work of ICES not be compromised and not be misinterpreted if it’s to be used properly in health planning, management and patient care. I believe, however, that the minister has contributed to undermining the credibility of ICES work by freely making comments with respect to the report before that report was presented.

I can just quote, for instance, from the Globe and Mail of November 1. The minister says, “It’s obvious from this study that some doctors haven’t responded quickly enough to changes in medicine.” Then she says, “Pressure is necessary so that it can result in changes in protocol and practice.”

I believe it would have been appropriate for the minister to withhold comment until the report had been presented rather than adding to the speculation about its contents. You can laugh, Minister, but this is very important. You have undermined the credibility of that body.

The Speaker (Hon David Warner): Would the

member place her question, please.

Mrs Sullivan: I want to know why the minister has commented in such a way when she did not know what the report said nor clearly what it meant.

Hon Mrs Grier: It's mind-boggling. I could say, why did the member raise questions about the report? And what would she have said if I'd said, "It's only a report in the Toronto Star that the author of the report commented upon on Saturday and therefore I'm not going to say anything"?

The report was presented by the authors to a conference of colleagues. The press were there; the press reported on it. I was given a copy of the report. The report clearly says that the responsibility for quality control and for dealing with the variations in practice lies with the surgeons of this province and the doctors of this province. I commented that I thought that was an entirely appropriate conclusion and that through the joint management committee that this government has established with the profession, along with setting up ICES so that we would have these data, we intended to make sure that in future the women of this province were guaranteed of a general consistency in standard of practice so that unnecessary breast surgery did not continue. That's the objective.

Mrs Sullivan: There are two things I want to point out and request of the minister immediately. One is, since she has the report and since that report has not been made public in a way other than to privileged people who are professionals working in the field, will she make that report public now?

Secondly, I want to reiterate the response from the president of the Ontario Medical Association, Dr Dickson, who has written a letter reacting to the minister's public comments and who says, "To immediately blame doctors at this early stage and imply that political pressure will be used as a remedial tactic does a tremendous disservice to our mutual goal of improving health care in the province."

I am asking the minister how she responds to Dr Dickson.

Hon Mrs Grier: I think that our discussions with the profession through the joint management committee will undoubtedly have differences of approach on many occasions, but the way to resolve that is to work with them.

Let me say to the honourable member, who started her questions by talking about the task force that has been holding hearings and travelling across the province, that I hope she and the Leader of the Opposition are listening with open minds to what they hear, because one of the people who appeared before them in Kingston yesterday said, "We don't need more dollars to provide the kinds of services that consumers need; we need services for patients and families in this community." I couldn't agree more.

Another person appearing before them, a leading physician, in response to a question as to how elected officials could help reallocate resources, said: "First, through research and evaluation. Second, do not politicize

the disease. It reduces our flexibility to respond as a treatment system and it freezes valuable resources."

I regret that the opposition is obviously disregarding that particular advice.

Interjections.

Mr James J. Bradley (St Catharines): No lectures from the NDP. How dare you? You have a bad memory of your leader rising in the House with people in that gallery. That is vintage Bob Rae. Just don't be so phoney.

The Speaker: Order. The honourable member for St Catharines, that is not helpful. Order.

REDISTRIBUTION OF BOUNDARIES

Mr Ernie L. Eves (Parry Sound): My question is to the Premier. Late yesterday, a copy of a report by the chief election officer was delivered to my office. This report, as you know, forms the basis for changing Ontario riding boundaries to more accurately reflect our current population.

Premier, how long has your government had this report, and why was it not shared with the opposition House leaders until after we requested it yesterday?

Hon Bob Rae (Premier): I will refer this question to the Chairman of Management Board and government House leader.

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): The member for Parry Sound will know, if he's taken the time to look, that the report to which he's referring is in fact not a report at all. It's a set of comments from the chief election officer, and it's a copy of a report, with a couple of minor changes, that he's had in his hands since the fall of 1991.

The present version which he's referring to has been in my hands for about a week, but it is a set of comments from the chief election officer; it's not a report. In fact, he only has it now because there is no reason for him not to, but there is no obligation for the government to table or to address that report to the opposition.

Mr Eves: The minister will know that every single page of this report—first he said it wasn't a report, then he said it was a report—is dated: "Revision for September 27, 1993." Every single page says that, so it isn't some report that we on this side have had for months or years. It's been revised September 27.

According to the expedited schedule outlined in this report dated September 27 of this year, this House was to have passed a resolution last month, in October, in order to enable a commission to be appointed to make boundary changes in time for the next provincial election. It is now November. Did your government deliberately sit on this report until after October had passed so you wouldn't have time to expedite this and have boundaries redistributed before the next provincial election?

1450

Hon Mr Charlton: I can certainly get the member opposite the precise date on which I received the report, but the date that's on the report is not the date upon which this minister received the report.

Secondly, the member made reference in his comments to, "The government was to have." The member knows full well, because he's been here and he was through the last redistribution process in this province, as were some of the members in the official opposition as well, that the decision to proceed with the redistribution is a decision that is the government's, and the government is considering the comments that were made by the chief election officer.

Mr Eves: That's exactly the point. The comments were made by the chief election officer and the government is considering whether or not to proceed with an expedited schedule, knowing full well that if it doesn't hurry up and deal with this, it's not going to be able to implement it by the time the next provincial election is called. Given the fact that the population—

Hon Floyd Laughren (Deputy Premier and Minister of Finance): That's in six months.

Mr Eves: Can we have that commitment then, I say to the Minister of Finance, that the election will be within the next six months? Then I'll withdraw the question.

Given the fact that I think population trends would show that the population around the outside of Metropolitan Toronto has grown very rapidly, as evidenced by the 1991 census, and that if in fact ridings, 130 seats in the province, were redistributed to give effect to that, your party would stand to lose politically in terms of seats in Metro Toronto and certainly the seats on the outside of Metro, will you give effect to looking at expediting this schedule so that these boundary ridings can be redistributed before the next election? Yes or no?

Hon Mr Charlton: I would suggest that the member opposite would like to make a particular point here which would allow him to totally forget his own part in all of this. I think it's time that we made clear some of what's in this so-called report that he keeps referring to. The report that he's referring to is a report that he's had since the fall of 1991. The only substantive changes in that report—because there are no changes in relation to the population changes or the seat requirements or any of the other issues in that report—relate to the timetabling.

They are suggestions. The whole report is a set of suggestions. I would suggest that the member for Parry Sound, who's had this report since the fall of 1991, forgot about it. He's now been reminded about it, but it certainly didn't have any urgency for him in terms of proposing redistribution in this province.

The government will take its responsibility to review the question of redistribution and to make a decision and to proceed when it has made a decision.

PUBLIC SECTOR COMPENSATION

Mr David Turnbull (York Mills): My question is to the Chair of Management Board. My resolution, which called on the government to immediately introduce legislation to apply the same standards of accountability and access to compensation information of political staff and civil servants that is being required of companies in the private sector, was passed this morning.

The Minister of Finance, when he announced the new requirements for the private sector on October 14, stated

he personally favoured broader disclosure in the public sector. Further, all of your members involved in this morning's debate spoke in favour of my resolution. You, sir, were asked by the Minister of Finance to review the issue of public sector compensation disclosure. Have you acted on the minister's request?

Hon Brian A. Charlton (Chair of the Management Board of Cabinet): The member is correct that his resolution was supported by most members in the House this morning; it's a principle this government supports. The member's resolution, unfortunately, didn't go far enough, because it only deals with the Ontario public service.

The broader public sector in this province—school boards, hospitals and a whole range of other public agencies that are publicly funded—requires the government to look at a whole range of required legislative changes that would be necessary to proceed with the kind of disclosure that we think the public in this province deserves. I was instructed by cabinet long before we ever heard about any resolution from that member, when the Minister of Finance took his proposal through cabinet, to proceed to look at the whole range of legislative changes that would be required in order to have equal disclosure across the entire public sector, and I'm pursuing that objective.

Mr David Tilson (Dufferin-Peel): I'm pleased to hear the minister is at least working on this subject, because obviously the Treasurer, with a stroke of the pen—bang, bang, bang—has decided that the executives of private enterprise are going to have full disclosure. I'm glad you're doing it.

The problem, Minister Minister, is a problem that they—

Interjection.

Mr Tilson: It is tricky to say, isn't it? The problem, Mr Minister, is that the Liberals have caused this problem when they amended the Freedom of Information and Protection of Privacy Act, and we are giving you an opportunity, because this is a problem that has clearly existed, to fix their error with our private members' bills.

There have been two private members' bills, as you know, introduced recently, one by the member for Etobicoke West and one by myself. We've tabled bills on this issue. I'm sure you will use those bills to assist you in developing proper procedures.

Ontario taxpayers want and demand full accountability. They want to know how their employees are being compensated. My question to you is, you say you're working on it. Can you tell us today specifically what you're going to do?

Hon Mr Charlton: Let me say first of all that in terms of the two private bills the member has referred to, I'm certain that the debate around those private members' bills here in the Legislature will in fact assist us in the process of addressing this problem. Having said that, neither the resolution that was dealt with this morning nor either of the private members' bills deals in a very comprehensive way with the issue before us.

As I've said, we're talking about the Ontario public

service. We're talking about a whole lot of crown agencies and crown corporations that have separate legislation. We're also talking about school boards, hospitals and hospital boards across this province and literally thousands of other public-sector-funded agencies across this province that we wish to deal with.

We're going to proceed. My instructions from cabinet are to look at and define the legislative requirements that will allow us to proceed with disclosure in those areas, but we want to do it in an evenhanded and comprehensive way right across the public sector in the province of Ontario.

Mr Tilson: The problem, of course, is that private enterprise isn't exactly looking at what the Treasurer has done recently with his stroke of a hand. That is not evenhanded procedure.

I agree that you should be looking at the whole picture. In fact, many members of this House in this morning's resolution supported that principle and said you must go further.

Private member's Bill 116, which I presented in the Legislature yesterday, called for amendments to the Labour Relations Act that would require the top five union executives to table their compensation packages with the labour relations board once a year. Union members would then have the right to examine what their representatives are being compensated for working on their behalf.

Unlike shareholders, who can sell their shares and not support businesses whose philosophy they do not agree with, union members don't have that same option. Because of the Rand formula, and I'm sure you're aware of that, union members cannot opt out of paying dues to their unions. Union members deserve the right to know how their fees are being spent and to whom.

Because of the positive response to the member for York Mills and to his resolution this morning, will you now proceed expeditiously with all of these private members' bills, specifically Bill 116, to match the philosophy that's being put forward by the Treasurer?

Hon Mr Charlton: First of all, in response to the member's last question, I said clearly that we intended to proceed to identify the best ways, legislatively, to approach the question of disclosure of the top salaries in the public sector in the province of Ontario.

Second, I said that we felt the debate around those pieces of legislation would be useful to us in that process. I also said that we felt both of the bills to which the member refers were woefully inadequate in terms of their focus and their intent, specifically with respect to the bill the member just referred to around trade union leaders. That is an entirely different issue from the public disclosure of public sector employee salaries. The member is right that the members of trade unions may have the right to access to the salaries of their leaders, but that's a different issue from the issue that's being raised here.

1500

ONTARIO DRUG BENEFIT PROGRAM

Mr James J. Bradley (St Catharines): I have a question for the Minister of Health. I have had the

opportunity to sit in this House and listen to Donald MacDonald and Stephen Lewis and Michael Cassidy and Bob Rae and all of the NDP critics indicate to this House that a person's ability to pay should not be the criterion used when one is applying health care services.

I ask the Minister of Health, if you and your government truly believe in the philosophy which you have enunciated in this House and in other places over the years, why then is your government forcing kidney dialysis patients, such as Jack Leake of St Catharines, into financial hardship by compelling him and others to pay for drugs that are essential to their health?

Hon Ruth Grier (Minister of Health): I stand proud in the tradition of the leaders of my party that the member for St Catharines has listed and share with them our commitment to the preservation and protection of the universality of the medicare system, which was created in this country because of the work of the people of the New Democratic Party in Saskatchewan.

Let me say to him that with respect to the specific question he raises, my colleague the member for St Catharines-Brock raised with me yesterday the issue that a hospital within the member's riding had in fact been indicating to dialysis patients that they might not be able to receive drugs under our special drugs program. Let me say to him and to the member for St Catharines-Brock and to all of the people concerned that there has been no cutback in the special drugs program and that patients suffering from end-stage renal disease are entitled under our special drugs program to the prescriptions they need, at no cost to them.

Mr Bradley: I have been in contact with at least three kidney dialysis patients today, and with Mr Leake, who has been a very effective spokesperson for kidney dialysis patients in our part of the province, and they have an indication from the Hotel Dieu Hospital in St Catharines that reads as follows: "With the cutback in provincial funding to hospitals, this now means that Hotel Dieu will no longer be able to provide this service except in cases of extreme need."

They list several drugs that I will not go into detail on today, but they indicate that, "For prescription medications no longer covered, your physician can apply to the Ministry of Health for special coverage for you under requests for unlisted drug products." My colleague the member for Halton Centre indicated yesterday or the day before just how long that process takes.

You have received as well from the Kidney Foundation of Canada a press release and other information which indicates that dialysis and transplant patients denied access to effective, medically necessary drugs will ultimately cost the health care system far more in prolonged hospitalizations, more frequent medical interventions, poorer prospects for rehabilitation and failed kidney transplants.

I ask you again, why are you forcing kidney dialysis patients in this province to go on bended knee to get essential health care services to which they are entitled and which they deserve?

Hon Mrs Grier: Let me point out to the member that

in the beginning part of his very long question he indicated that in fact it was a decision of a particular hospital that his constituents and the people he had been talking to had referred to. I want to say to him that as soon as I was made aware by my colleague of this situation, the ministry has been in touch with the hospital and has indicated to them that the action they have taken is not appropriate, and I agree.

JUSTICE SYSTEM

Mr Charles Harnick (Willowdale): My question is to the Attorney General.

Interjections.

The Speaker (Hon David Warner): Order. The member for Willowdale has the floor.

Mr Harnick: On August 4, the Attorney General announced the release of the Martin report. As the Attorney General knows, the Martin report was designed to provide the Attorney General with recommendations on how to improve and streamline the justice system. Minister, when can we expect the government to implement the recommendations contained within the Martin report, and will the Martin report be adopted in full?

Hon Marion Boyd (Attorney General): Since the Martin report was received, we've been in very deep consultation with affected groups. That includes people within the judiciary, members of the bar, victims advocate groups and so on.

As to how the guidelines that are suggested in the Martin report would best be implemented, we are about to enter, I think in the next two weeks, into the final phase of that consultation, which will enable us to determine what directives will actually be given to crown attorneys around the suggestions around disclosure, early resolution and screening in the Martin report. As soon as that is done, it is my hope that we will be able to announce our investment strategy. We have got treasury board approval for some changes in terms of how we operate within the courts, but we felt it was necessary for us to do this final bit of consultation in terms of the directives and guidelines before we proceeded across the province.

Mr Harnick: The implementation of the Martin report could save the government tens of millions of dollars annually. However, my understanding is that the Martin report must be implemented in full to achieve this saving. To quote Casey Hill, a former president of the crown attorneys association and a member of Mr Justice Martin's advisory committee, "You're not going to make any impact on the system unless you buy into the entire package." Are you going to shelve this report or are you going to take concrete action, and if so, when?

Hon Mrs Boyd: I think I answered in my first answer, but I will go over it again. With regard to the elements contained in the Martin report, indeed Mr Hill is quite right: The elements around the attention at the early end of the criminal process, the attention to disclosure, the attention to screening and early resolution decisions all are absolutely necessary to be done as a continuum. I would say to the member that, yes, our intention is to ensure that all those elements are present.

Mr Justice Martin suggested in his report specific directives around how this should be done. The only discussion we are having at present is whether in fact those directives are clear enough and give enough context to the actions and the decision-making and the discretion that'll be exercised by individual crown attorneys in doing this kind of work. As soon as that final consultation has been done, I anticipate an announcement of the implementation of the report.

UNIFIED FAMILY COURT

Mr Gary Wilson (Kingston and The Islands): My question is also for the Attorney General. I was pleased recently to welcome the Attorney General to Kingston, where as part of her visit she toured local court facilities. Then, with her additional responsibilities as minister responsible for women's issues, she visited a couple of local agencies that provide services to women in crisis.

As members may know, the way the courts are currently structured, different courts deal with different family law matters. This situation leads to extra costs for families that are suffering through divorce, custody and support and other family law proceedings.

Since the late 1970s, a Unified Family Court has been operating in Hamilton with great success. It was originally set up as a pilot project wherein all family court matters could be heard in one court. Bill 68, which is currently before the House, will provide for the extension of the Unified Family Court model across Ontario. Can the Attorney General tell the House when she would expect to see the extension of unified family courts across Ontario?

Hon Marion Boyd (Attorney General): Indeed, the courts of justice act, Bill 68, does include as one of its provisions the expansion of what has been called the longest-running successful pilot project in the entire history of Ontario. It is certainly my hope that Bill 68 will move through this place in a very timely manner so that we can begin.

We've already set up an implementation team within the ministry. We need to negotiate with the federal government because the plan would include the addition of approximately 12 additional federally appointed judges in order to begin that expansion through the province. We will not be able to do it in every location immediately. We will have to do it in a gradual way in one or two locations, but it is certainly my hope that we will be able to move forward, with the cooperation of the new federal government, as soon as possible.

1510

Mr Gary Wilson: Madam Attorney General, as you know, Kingston is very interested in being one of the first communities to have a Unified Family Court as part of the extension you mentioned. Many individuals and agencies from Kingston that deal with family law matters have written to me and to you expressing their eagerness to have a Unified Family Court in Kingston. I'm sure you would agree with me that the document submitted by the legal community in Kingston is remarkable in its thorough, logical and creative presentation of the case for Kingston as the location of a Unified Family Court. Can

you tell me if Kingston will be considered as a location for a Unified Family Court in the early stages of expansion of this court model?

Hon Mrs Boyd: The member is not the only one who has lobbied for the location of a Unified Family Court in his riding. I can tell the member that I get equally lobbied in my location. I know the member for Ottawa Centre does as well.

I cannot tell you what the locations will be. There has been no determination of that at this point. We can be very clear that there will be a lot of interest in this. I only wish we could do it in every jurisdiction immediately.

ASSISTED HOUSING

Mrs Yvonne O'Neill (Ottawa-Rideau): My question is to the Minister of Community and Social Services. The Salvation Army retrofit of 135 Sherbourne Street is a major initiative aimed at alleviating the real suffering of down-and-out homeless men in the city of Toronto. The Sally Anns, through their own fund-raising efforts, have realized 83% of the cost of the retrofit of this hostel. The province is being asked but for 17%, around \$1 million, as an investment in the homeless of this city.

Minister, in the light of the growing number of people on the outer margins of society right here in our midst, will you respond to the motion passed earlier this week by Toronto city council and reconsider your decision not to participate in this very valuable endeavour?

Hon Tony Silipo (Minister of Community and Social Services): I appreciate the question being raised. My understanding is that the request that had come from the Salvation Army was considered very seriously at area office level in looking at the capital needs of the areas that were submitted to the ministry. That request was then considered, obviously, along with all the other requests we had before us, and it was simply a question, at the end of the day, of the funds not being sufficient to be able to make allocations to all the projects that came forward. In the ranking that was done, unfortunately this particular project did not rank as high as some of the other projects to which we have directed the funds. It really is a matter of that, and the process, I am satisfied, was followed appropriately. Unfortunately, in this instance we're not able to provide funding.

Mrs O'Neill: The ranking, as we understand it, is based on ministerial guidelines, and the ministerial guidelines in this case, as in other cases, such as those for child care subsidies, are often ideologically driven. They just don't fit within this government's ideology. Minister, I ask you again, as winter approaches, will you reconsider and broaden your limiting criteria—you've done it before, Minister, in child care subsidies—and broaden your guidelines for this project, a project which will help real needy, right here in our midst in the capital of Ontario?

Hon Mr Silipo: I can tell the member very clearly that the problem here was not the criteria. The problem, as I said, was simply having to gauge, on the basis of a number of projects we had before us, the relative need. I know we're talking about relative need.

One of the other issues that I think is particular to this project is that even though the agency knew it was not

getting any funding from us, it proceeded to build. Now there is a problem in terms of the agency having proceeded to put up the building knowing full well that there was no opportunity for funding to come from the ministry.

All I can say is that if there are additional funds, we'll continue to look at what additional projects we can provide. In that light, I would certainly say that if the discussions that I know will take place with our federal counterparts result in additional funds that will become available, then obviously we in this ministry, as across all other ministries, will look at what more we can do beyond what we are trying to do at this point.

TAXATION

Mr David Johnson (Don Mills): I have a question to the Minister of Finance, and my question is on behalf of the beleaguered property taxpayers of the province of Ontario. In Metropolitan Toronto, just as an example, there are currently about \$600 million of uncollected taxes. People are being taxed to death. Businesses are being taxed to death. They cannot afford to pay the taxes and they are not paying the taxes in record numbers.

Your new taxes, Mr Minister, earlier this year have worsened the problem for municipalities. I'm talking about the new taxes on auto insurance, the new taxes on health benefits, the new taxes on sand and gravel, just as examples.

Now you have implemented yet another fee. For the first time, a residential property owner will have to pay \$20 to appeal their property assessment; a business, for the very first time, will have to pay \$70 to appeal their property assessment. This is a fee on a tax. This is a tax grab.

My question to you, Mr Minister: Is it fair to require property owners to pay a fee simply to ensure that they're not already paying too much in taxes?

Hon Floyd Laughren (Minister of Finance): I would disagree with the honourable member—I'm sure he's not surprised—in his assertion that it's a tax on a tax. If someone wishes to appeal their assessment, of course, under our system, that should be a right that's there, for them to appeal the decision of the assessor. I have no problem with that. But what we've decided, and I thought the third party would support this kind of measure, is that whenever possible, there be at least some cost recovery for the services delivered.

The members in the third party are very quick to be on their feet whenever there's a hint of a rise in the deficit, which is hinted at every now and again, or whenever there's a hint of an increase in taxes. That's the role of the third party and I have no problem with that. But I would just say to the member that you can't have it both ways. You can't complain about the cost of government and then complain every time we engage in any kind of active cost recovery for the services that government provides.

Mr David Johnson: We have—and I'm saying we, the Progressive Conservative Party—a task force talking to the small business community, and the message that we're getting back is that there are too many taxes, too

many fees already, that we should be cutting the cost of government.

I've checked with the province of Quebec, for example. You do not have to pay a fee to appeal your assessment in Quebec. You do not have to pay in Alberta to appeal your assessment. Revenue Canada doesn't charge you a fee if you dispute your income tax.

We have recently approved Bill 7, the waste management bill, which introduces new fees for garbage collection. We are about, apparently, to approve Bill 40, a community development bill, part of which will introduce new planning fees in the province of Ontario. There is no end to the new fees and the new taxes.

My question: Is it not time to stand back, to look at all the taxes, all the fees we have heaped on the property taxpayers of the province of Ontario and to look at cutting those fees and cutting those taxes?

Hon Mr Laughren: I have no problem in agreeing with the member for Don Mills about the need to stand back and take a look at the amount of taxes that property owners pay. I know you won't accuse me of hiding behind the Fair Tax Commission when I say that the Fair Tax Commission will be reporting by the end of this year, and I'm sure we all look forward to what it has to say about property taxes and how we respond to what it has to say.

I think, to be fair, there is nothing wrong in principle with government attempting to recover some of the costs of the services that the taxpayers deliver, because it's not everyone who appeals their assessment. I don't believe that \$20 is an undue amount to ask somebody to pay, because you can be assured that the amount of money they're appealing on their assessment is many, many times the \$20 fee for the residential rate. So I don't think it's asking too much to ask the property taxpayers who appeal their assessment to pay a small portion, a very small portion, of the cost of that service they're receiving.

Mr Bill Murdoch (Grey-Owen Sound): You're asking them to pay for your mistakes.

Hon Mr Laughren: No.

The Speaker (Hon David Warner): Order.
1520

FAMILY SUPPORT PAYMENTS

Mr Mike Cooper (Kitchener-Wilmot): My question is for the Attorney General. As you know, the Family Support Plan Act provides for automatic wage deduction of support payments from paycheques of payers by their employers. However, I understand there's no obligation in the legislation for employers to forward the money to the family support plan in any given period of time. As a result of this, there's no specific time mentioned for the remission of these funds to the family support plan, and funds are remitted weekly, biweekly or monthly.

This inconsistency has caused some problems for recipients and payers alike in that the family support plan does not credit the payer's account until they receive the funds from the employer. In some cases arrears have been accumulated and further action has been taken to enforce the support order when payments have actually been made. My question is, what obligation does the employer

have to remit these payments within any given period of time?

Hon Marion Boyd (Attorney General): The member is quite right that the legal obligation on the employer is to deduct and remit the payments. The way in which it is done is usually within the month in which the deductions are made. The member is quite right that when deductions are made on different bases, for example, weekly pay or biweekly pay, it may not be remitted until the end of the month, and that has created some difficulty.

On the other hand, we have to be aware that employers have been very cooperative with this system, and it is their view that they want to remit once a month so that they can do it as they do income tax or as they do UIC and so on.

As long as the total support due is paid within the month for which it's owed, FSP does not consider that the payment is late and won't take enforcement action.

Mr Cooper: There are people phoning my constituency office fairly regular now, and they're getting caught in the cracks on this specific issue. What it does is it causes them grievous problems because they're trying to make their payments. They aren't the deadbeats that a lot of people talk about. These are people who are actually making their payments and they're being troubled by this. I realize the employers are under some hardship, but can we expect any action to be taken and when can we expect that action?

Hon Mrs Boyd: I recognize the problem, and so we are changing it for those employers and those recipients who are willing to participate in direct deposit systems. The employers will be permitted to electronically deposit their support payments, and recipients will be able to opt for direct deposit to their bank accounts. That will really end the delays that occur between the time in which the payment is mailed by the employer to the plan, and then from the plan to the recipient. It is hoped that this will streamline the process and make it less costly for all concerned.

TUITION FEES

Mr Hans Daigeler (Nepean): I'm pleased that the Minister of Finance stayed for these final minutes that I still have to ask my question. In the absence of the Minister of Education and Training, I'm directing my question to you. You will be aware that the minister has given some very ominous hints that students will again—and I say that deliberately—again face very significant tuition fee increases. I understand this may be coming very soon, perhaps even next week. This threat of significant tuition fee increases comes at a time when our students are having a very hard time finding jobs to pay for the costs they have already, never mind additional costs.

Minister, my question to you is, first of all, when is your government going to announce it? Secondly, will these fee increases bear any kind of resemblance to the promises you made to the students when you were on this side of the House?

Hon Floyd Laughren (Minister of Finance): I'm always pleased to stay longer than I had planned to

entertain a question from the member for Nepean. I do not know when the Minister of Education and Training intends to announce his decision on the tuition fee increases. There have been a significant number of calls from the broader community, including some student organizations, for increases in tuition fees, and by the universities themselves, and by others who think there should not be any increase in tuition fees. I'm sure the Minister of Education and Training, being as perceptive and understanding as he is, will take all those considerations before he comes to a decision.

I know the member for Nepean does not want to see any increases in tuition fees at all. I think he simply wants to see an increase in taxes go into the universities in order to have to provide the programs they offer. That final decision will be announced by the Minister of Education and Training and I don't know what date he's going to do that.

The Speaker (Hon David Warner): The time for oral questions has expired.

ASSISTED HOUSING

Hon Evelyn Gigantes (Minister of Housing): On October 27, the leader of the Conservative Party in the Legislature asked me a question concerning a Peel Non-Profit Housing Corp development at 27-37 Clipstone Court in Brampton. I promised to provide information related to that development to the members of the Legislature. I'm tabling that information now.

PETITIONS

PROCEEDS OF CRIME

Mr Gary Carr (Oakville South): Thousands of constituents from my riding of Oakville South have asked me to table a petition which says the following:

"To the Legislative Assembly of Ontario:

"Whereas criminals can currently derive profit from the sale of recollections of their crimes; and

"Whereas criminals can also derive profit for interviews or public appearances; and

"Whereas this can cause suffering of crime victims and that of their families;

"We, the undersigned, demand that the private member's Bill 85, Proceeds of Crime Act, 1993, be passed into law."

I've signed that as well.

INTRODUCTION OF BILLS

PUBLIC SERVICE AND LABOUR RELATIONS STATUTE LAW AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT DES LOIS EN CE QUI CONCERNE LA FONCTION PUBLIQUE ET LES RELATIONS DE TRAVAIL

On motion by Mr Mackenzie, the following bill was given first reading:

Bill 117, An Act to revise the Crown Employees Collective Bargaining Act, to amend the Public Service Act and the Labour Relations Act and to make related amendments to other Acts. / *Projet de loi 117, Loi révisant la Loi sur la négociation collective des employés de la Couronne, modifiant la Loi sur la fonction publique*

et la Loi sur les relations de travail et apportant des modifications connexes à d'autres lois.

The Deputy Speaker (Mr Gilles E. Morin): Minister, do you wish to make a few remarks?

Hon Bob Mackenzie (Minister of Labour): Just very briefly, this bill is, I hope, the finalization of a commitment made some time ago to both whistle-blowing political activity rights and the reform of CECBA, the collective employees bargaining act.

ORDERS OF THE DAY

CAPITAL INVESTMENT PLAN ACT, 1993

LOI DE 1993 SUR LE PLAN D'INVESTISSEMENT

Deferred vote on the motion for third reading of Bill 17, An Act to provide for the Capital Investment Plan of the Government of Ontario and for certain other matters related to financial administration / *Projet de loi 17, Loi prévoyant le plan d'investissement du gouvernement de l'Ontario et concernant d'autres questions relatives à l'administration financière.*

The Deputy Speaker (Mr Gilles E. Morin): We will now have the deferred vote. Call in the members. This is a five-minute bell.

The division bells rang from 1530 to 1535.

The Deputy Speaker: Would all members take their seats. Mr Laughren has moved third reading of Bill 17, An Act to provide for the Capital Investment Plan of the Government of Ontario and for certain other matters related to financial administration. All those in favour of the motion will please rise one at a time.

Ayes

Abel, Akande, Allen, Bisson, Boyd, Buchanan, Callahan, Caplan, Carter, Charlton, Christopherson, Churley, Cooper, Coppen, Curling, Dadamo, Daigeler, Duignan, Ferguson, Fletcher, Frankford, Gigantes, Grandmaitre, Grier, Haeck, Hansen, Harrington, Haslam, Hayes, Henderson, Hope, Huget, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Kormos, Lankin, Laughren, Lessard;

Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martin, Mathysen, Mills, Morrow, Murdoch (Sudbury), Murphy, O'Connor, O'Neill (Ottawa-Rideau), Owens, Perruzza, Philip (Etobicoke-Rexdale), Phillips (Scarborough-Agincourt), Pilkey, Pouliot, Rizzo, Ruprecht, Silipo, Sullivan, Sutherland, Wessenger, White, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

The Deputy Speaker: All those opposed to the motion will please rise one at a time.

Nays

Arnott, Carr, Cousens, Eves, Harnick, Johnson (Don Mills), Jordan, Murdoch (Grey-Owen Sound), Runciman, Tilson, Villeneuve.

The Deputy Speaker: The ayes are 70; the nays are 11. I declare the motion carried. Resolved that the bill do now pass and be entitled as in the motion.

We'll wait for a few minutes for members to leave the House, if they so wish.

PROVINCIAL OFFENCES STATUTE LAW
AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT DES LOIS
EN CE QUI CONCERNE
LES INFRACTIONS PROVINCIALES

Resuming the adjourned debate on the motion for second reading of Bill 47, An Act to amend certain Acts in respect of the Administration of Justice / Projet de loi 47, Loi modifiant certaines lois en ce qui concerne l'administration de la justice.

The Deputy Speaker (Mr Gilles E. Morin): At the last debate, Mr Conway was the last speaker. We were at questions and comments. Mr Conway is not here. I will therefore recognize the member for Leeds-Grenville.

Mr Robert W. Runciman (Leeds-Grenville): I appreciate the opportunity to participate in this debate on Bill 47, the photo-radar bill. I think it's important, from my perspective anyway, that I speak on this legislation and put my concerns on the record.

Up to this point there's been very little public debate in respect to this legislation and I would think as well very little public understanding, let alone recognition, that this bill is now being debated by the Ontario Legislature and will in all likelihood come into law some time early in 1994. Of course, at that point the proverbial you know what is going to hit the fan and we're going to start hearing from our constituents in respect to this legislation, even though we're not hearing a great deal of concern being expressed now.

As I said, part of that is the fact that, for whatever reasons, the media choose not to look at or report on issues like this or debates in this House beyond what takes place in question period. I think many at different levels of government, and even within some elements of the media, have expressed concern about the lack of coverage of these kinds of debates. However, we have to live with it. I simply wanted to put my concerns on the record for when my constituents come to my office early in 1994 because they've had their licence removed for late fine payment or they've received a significant bill in the mail from the government for something they weren't even aware they were involved in, a whole host of concerns that are going to come forward.

I'm someone who drives back and forth on a regular basis between Queen's Park and Brockville. I know this has been expressed in the House, but I simply want to put my own observations in place in terms of the speed limits. I'm sure there are people who will take issue with this, but I think the speed limits are artificially low.

When Highway 401 was built, you will recall the speed limit was 70 miles per hour. That was felt to be an appropriate speed limit back in 1968; I believe the section of 401 running through my riding was opened in 1968. Over 20-some-odd years ago, 70 miles an hour was considered an appropriate and safe speed limit on Highway 401.

As you know, when we went through the energy crunch, the so-called energy crisis, speed limits throughout the world were dramatically reduced, to 55 miles per hour at the time, primarily as an energy conservation measure. That was the argument put forward by all levels

of government when they came in with dramatic reductions in speed limits.

What's happened over the past 20-some years is that we've seen the evolution of the automobile in terms of concern for safety, some of it mandated by governments, others that the automotive industry, for competitive reasons, has brought forward, significant advances in terms of protecting individuals driving cars and passengers in cars.

We now see where the use of not only seatbelts is fairly significant, but also the air bags. Many of the models currently on the market have not only driver but passenger air bags. The cars themselves are built structurally in a much safer manner than they were in the past. We now have new cars coming out. I'm seeing the ads where various companies are coming out with reinforced cars so that they can withstand impacts from the side of the car to a much greater extent than they have in the past.

So the automobile, the car that you and I have to drive to work in or to go shopping, what have you, to travel in, is a much safer mode of transportation than it was 20 or 25 years ago when 70 miles per hour was considered a safe speed limit on Highway 401.

I would have significantly less difficulty with many elements of this legislation if speed limits in the province were more realistic and appropriate. Most of us who travel know that virtually everyone drives, we'll say, an average of 120 kilometres per hour, which is around the 70-mile-per-hour mark, and that's an appropriate speed level, I think. There are exceptions to this, but I think most police officers now recognize that that's a safe level and an appropriate level, and you don't get pulled over by the police if you're doing 120 kilometres per hour in most instances. There are occasions when you have some relatively young perhaps and enthusiastic officers who will pull you over and give you a warning for that speed limit, but by and large it's considered by the police officers, I believe, to be a safe driving speed.

So if government can recognize that and then move in this direction, I think it would be much more appropriate. Instead, I think they have approached this—and this has been raised by others from a different angle. Although they get up and express concerns about safety and suggest that their primary concern in introducing this legislation is to reduce the carnage on the highways, to try and improve the safe driving practices of Ontarians, I simply don't buy that. Obviously when you look at what's happening here, the speed levels, in most instances in a safe manner, are not compatible with what this government wants to do in respect to improving safety on the highways.

If they wanted to do things that were going to improve the situation, there are all sorts of opportunities available to them. We've seen the results of coroners' inquests recently related to the death of a number of young people, I guess it was in the Halton Hills area, where something like seven young people were killed in—

Mr David Tilson (Dufferin-Peel): Caledon.

Mr Runciman: In the Caledon area, a year or two

ago. That inquest came out with a significant number of recommendations in terms of how to deal with this sort of situation, especially with younger people. There are some moves being made in terms of graduated licences, I'll grant you that, and my colleague the member for York Mills has been one of the driving forces behind the move by this government to bring in graduated licences.

But there are hosts of other areas that could be moved on. Perhaps one of the most controversial ones that came out of that coroner's inquest was the question of the drinking age. The coroner's jury recommended that the drinking age be raised to 21.

Most of you will know, in respect to what's happening in the United States, that if you compare the speed limits, many of the speed limits in the United States were dropped during the energy crisis as well. Now in many areas they've been raised. But at the same time, former President Reagan instituted measures whereby he would withhold transfer dollars to the states if they did not increase the drinking age. So the United States government obviously recognized the relationship between drinking and driving and safety and was prepared to go along with the states increasing driving speed limits, but at the same time saying, "We want you to increase the drinking age, and if you're not prepared to do that, we're not going to transfer funds to assist you to improve and upgrade your highway system within the state." So there's obviously a clear recognition within the United States of where the problem really lies.

What I'm suggesting here is that the government, in moving in this one directly solely, is doing it for reasons based more on revenue generation, I believe, than on real concerns about highway safety. If you look at an unrealistic speed limit and virtually 80% to 90% of safe, careful drivers exceeding what is an unrealistic speed limit, it's clear that the revenues that are going to be generated are significant. I know we've heard expressions in here of \$15 million. One of my colleagues, the member for Etobicoke West, was using a figure of \$200 million.

The minister has said that this is going to be revenue-neutral. I'd like to hear him say that during a response or during debate in this House, because I don't think anyone, even the minister, believes for a moment that this is going to be revenue-neutral. I've heard consideration, depending on how wide-scale the use of photo-radar is, that the revenues generated could potentially be in the neighbourhood of \$1 billion. That came from a responsible source, that if the government really turned towards this as a significant revenue generator, it's an almost unlimited revenue source.

1550

I think that in reality, that's what behind this initiative. Certainly we've talked about dedicated revenues and assisting policing in this province, but obviously there's nothing in this legislation indicating that the revenues generated will be dedicated. They're going into the general revenue fund of the government. They're not going towards the improvement and upgrading of the highways and allowing them to be much safer.

For example, in my part of the province, Highway 416, Highway 16, we've had a significant number of acci-

dents. Mr Speaker, you're familiar with this issue. The four-laning of the southern portion of Highway 416 could make that a much, much safer highway on which to drive. It's the link between the 401 and the nation's capital. Yet this government has placed that construction, that development, on indefinite hold.

Again, this is the sort of thing, if they were truly committed to safety on the highways, they would dedicate these revenues to so that we could go ahead with the four-laning of highways like the 416, and I think it's 17 in other areas of northern Ontario. In the Renfrew area—Mr Speaker, you could correct me on this—I know they've had significant numbers of fatalities, where all they've done up to this point is put in a few passing lanes and we're still having significant numbers of accidents in those areas.

It's not necessarily because of the speed; it's because of the two lanes, the fact that people get frustrated on these highways. They get trapped behind slow-moving vehicles—we'll say commercial transportation vehicles—which are going about 30 to 35 miles per hour. There's no opportunity for them to pull off. You get these long, long lines of traffic extending a mile or two miles. People who have to drive between Ottawa and Prescott or the 401 or what have you get frustrated, pull out into oncoming traffic, and we have fatalities, or serious accidents at best. That's the history of that highway and I'm sure many other highways in this province.

Again, if this government was truly committed to safety on the highways as a key element of this particular piece of legislation, obviously a significant portion of the revenues should have been dedicated for that purpose.

Another purpose which I would have thought would be appropriate in terms of dedication of revenues would have been towards the policing situation in this province. Again, I'll relate this to my part of the province in eastern Ontario.

There are sections of the highway between the Quebec border and Prescott-Brockville that would be, I guess, 70 or 80 miles, something like that, 90 miles perhaps, where I'm advised that in virtually all of that corridor, between the hours of 2 o'clock in the morning and 7 o'clock in the morning, there's absolutely no police coverage. There is a regional headquarters and a car occasionally does come down in that area, but in terms of patrolling the 401, there's virtually no coverage because of the shortage of funds, the cost-cutting measures that have been implemented by the OPP, their inability to get adequate numbers of cars on the road, not to mention the shortage of manpower, which has been pointed out on a number of occasions by a number of studies. It's a real problem.

We're not just talking in terms of highway safety or traffic safety, but we can talk about public safety, a bigger question. There are simply not enough police officers available, not enough cars available. If this government was truly committed, was truly concerned about these kinds of very legitimate situations that currently exist, they would, again, have dedicated a portion of these revenues, perhaps 25% to 50% of these revenues, towards policing, and perhaps specific areas of policing.

We now have studies under way I think throughout the province of Ontario on further downsizing the OPP: the closure of smaller detachments in rural areas, the amalgamation of detachments.

Again, these touch on real problem areas. A lot of the significant accidents we see occurring in the province are in some of these smaller rural areas, the two-lane highways, whether it's Highway 15, Highway 16, Highway 17, Highway 42. These are the areas where we need police presence, and what we've seen over the past number of years is a gradual reduction of police presence and in fact in some areas during certain hours of the day a complete removal of police presence. The concern is increasing not only in terms of highway safety, but in terms of increasing criminal activity, a whole host of public safety concerns.

I want to put a couple of things on the record about this legislation. I was interested, in some of the research that I did on this matter, that the RCMP, the Royal Canadian Mounted Police, have taken a look at photo-radar systems, and they mention a number that they've taken a look at. I'm not familiar with this sort of equipment, but they talk about the Multanova, the Gastometer, the PR 100 and Traffipax systems. All of these systems do not meet RCMP standards. What they're suggesting clearly here is that these systems currently, the systems now available, are not reliable and cannot be found to be accurate. I suggest that based on what the RCMP is saying, many of the fines that arise out of the institution of the system could be open to challenge, if for no other reason than the stand taken by the RCMP.

It says here: "In addition to the technical requirements, the RCMP has policy concerns about the use of photo-radar. The system is contrary to RCMP policy of maintaining contact between the police officer and the offender. It is also felt that photo-radar has little deterrent effect, since tickets are received weeks after the offence, and that it is unfair to charge the owner even if the owner was not driving at the time of the offence." This isn't me saying this; it's not a partisan politician saying it. The Royal Canadian Mounted Police are saying, "In short, the RCMP views photo-radar as a revenue-generating scheme." That's from the Royal Canadian Mounted Police.

The government members can get up and wail, and I heard them in this House the other day with regard to this, charging that opposition members, who are very concerned about this legislation, are not concerned about public safety. Indeed we are, and there are meaningful measures out there that this government could be taking and is not taking. In fact, they're justifying what the RCMP describes as nothing more than a revenue-generating scheme as their response to concerns about highway traffic safety.

It is a sham, and obviously we want to have that on the record. As this goes through the public hearing process and we come back into the House at some point, I gather early in the new year, we're going to have more of this sort of testimony made available to us.

I understand that police organizations, police associations, are generally supportive of this, but I suspect their

support is off-base. I tend in most instances to find agreement with the police associations on many of the stands they take, but I think on this one they should revisit it, see what the RCMP has said about photo-radar, look at where the revenues are going to go and really conclude whether or not it's going to be of any benefit in terms of highway safety and whether it's going to be of any benefit in terms of policing in this province.

1600

I seriously doubt it. It's a cash cow, and my colleague is going to be talking later on about the Big Brother elements of this legislation, the pervasive elements of this legislation in terms of its intrusion on our personal privacy and what it may mean for other pieces of legislation that could be introduced by this government or future governments. I think it sets a bad precedent, an unfortunate one indeed.

I really don't have a great deal more to say about the legislation. I think we've talked about the other element of the suspension of drivers' licences on fine default. This is an element that, again, I suspect people are going to be surprised by who, for whatever reason, may not have been aware of a fine or forgotten about a particular parking fine, what have you. They're now going to discover that they have no longer the opportunity to appear before the judiciary, that their licence is going to be pulled through some form of bureaucratic administrative function.

I wanted to talk a bit too about another element, the personal contact between the police officer and the driver. This is an important consideration as well. When you do go a few miles over a limit or you're in an unsafe situation, there's that personal contact between the driver and the police officer who has pulled you over to perhaps simply warn you or to charge you with an offence.

I think there are occasions, and they've happened to all of us, when I believe situations can merit a slight increase above the speed limit in terms of personal reasons. You may even draw police into a personal situation: It could be the birth of a child, it could be any number of things. Now what's going to happen? If you happen to be going 10 miles over the speed limit taking your wife to the hospital for the birth of a child, you're going to find you get your \$50 or \$100 fine in the mail instead of having that face-to-face meeting with the police officer who could indeed assist you in making that trip to the hospital.

Perhaps that's a situation that's not going to crop up on that many occasions, but I think there are other reasons when you may slightly break the speed limit and there's clear justification for doing that, in my mind, which a real, human person talking to you can understand and appreciate and allow you to continue on your way without some penalty from the state.

But this cold system, where a camera simply takes a picture of a licence plate and three or four weeks down the line you get a fine in the mail, simply is not something we believe is appropriate in the province of Ontario. We're going to continue to lobby against this. We're going to try and heighten public awareness of it as the days and weeks go by so the government is going to

start to feel the heat on this. We know ultimately they're going to feel the heat on this, and we're going to do what we can.

If there's one piece of legislation I feel quite strongly about, and I've heard some members of my own caucus—and I know the deputy leader of the Liberal Party and their caucus chair also feel very strongly about this particular piece of legislation. The House leader for the government was alerted to this fact back in the summer when we were debating which pieces of legislation should be proceeded with and which should be delayed until the fall session. There was a very clear message delivered to the government House leader that the concerns on the part of the opposition were significant, deeply held concerns and that this was not a piece of legislation that was going to be dealt with lightly.

To suggest, as I understand, that perhaps we don't even require public hearings is surprising, shocking. Clearly, this is the sort of thing that Ontarians need to be made aware of. They need to be made aware of all of the implications, not simply the fact that they're going to be getting fines but the increasing pervasiveness of the state: the fact that you can lose your licence overnight without any recourse to the judiciary; that you go in to have your licence renewed and, bingo, it's gone; a whole host of concerns we have which we believe are very much important.

If the government wants to move in a host of areas in terms of highway safety and tie in something like this, I think it's the sort of thing we could perhaps look upon more favourably, but given the current nature of this bill, it's one which we cannot support and I can assure you will be vigorously opposing in the days and weeks to come.

The Deputy Speaker: Questions or comments?

Mr Steven Offer (Mississauga North): In the time allotted, I'd like to make a few comments on the speech made by the member for Leeds-Grenville. I think the speech he's made has outlined and underscored some of the real problems with this particular legislation. As debate rotates in the Legislature, I too am going to have the opportunity to take part in a more full fashion in the debate.

I think it is clear that the problem with the legislation is that it is pervasive in terms of its intrusion into the civil rights of individuals. It is important for us, as best we can, to heighten the awareness of this piece of legislation with the general public. I believe very strongly that if the general public was aware of what was being debated and aware of what it actually means, there would be a hue and cry that might be sufficient to move the government to actually not proceed any further with this legislation.

So it's important that we all take part in this debate, and I think it's important that those who are watching on the legislative channel, when they hear what this bill is about, what this bill will do, what this bill will take away, share their concerns with the government and put a stop to this bill proceeding any further.

I would like to state to the member for Leeds-

Grenville, who has spoken on the bill, that I believe he has underscored some of the real concerns that many, many people have with this legislation. I only hope that members of the government might be listening to some of those things that are being said and might say: "Wait a minute. What we're doing and where we're intruding upon is wrong, and let's just stop the debate where it stands."

Mr Tilson: I congratulate the member for Leeds-Grenville on a whole slew of issues he's raised with respect to this bill, but the one issue I have taken note of is the lack of personal contact with an accused person. Normally, in cases of criminal or quasi-criminal matters, you can't get convicted unless you've been identified. Cases are thrown out of court if the police are unable to identify the person who's committing the crime.

That principle will now go out the window with this particular charge. You're going to take a picture of an automobile and you're going to look at the licence plate, and the person who happens to own that motor vehicle, even though he or she may not be driving it, is the one who is going to be convicted and fined.

Meanwhile, speeders today who are still caught by conventional methods will be subjected to far greater fines. Those individuals will have a loss of their licence as a result of points that have accumulated, and increased insurance rates. Not so with the principle of a photo-radar: There will be no notification of the insurance company of the driver who's committing speeding offences, nor will they be obliged to lose demerit points.

It's a rather strange thing the government's trying to do. The suggestion that it's simply a cash grab I think is the truth, because when you look with the number of accidents that are being created today and what the current laws are trying to do—and there's no question that there's room for improvement. The member for Leeds-Grenville listed a whole slew of things, everything from graduated licensing to improved roads to other matters such as the whole issue of age of driving and of impaired driving. All those issues need to be looked at together. I congratulate the member on his comments today.

1610

Mr Gilles Bisson (Cochrane South): I just want to respond to a couple of points the member raised in his debate that I think are worth noting. I want to deal with two issues because I've only got two minutes to deal with them. One is the issue of the owner of the vehicle getting the fine. The second one the honourable member talked about was the whole question of whether all the money raised through photo-radar would go to a dedicated fund to deal with highway initiatives or infrastructure of highways.

On the first issue, in regard to the owner getting the fine for the speeding violation, what we're trying to say through this legislation to a certain extent is that owners have to take responsibility for their vehicles. I am a father. I have a vehicle at home and I have a young daughter who drives. I must take responsibility to make sure that my daughter, when she borrows my car, is not taking her life into her hands and that she does things

safely. I want to make sure that my daughter drives safely. I want to make sure I find out at any time if she's been speeding, that she doesn't just get a fine and I don't hear about it. I would like to have some notice that somebody who is using my car is not using it safely so I can make some decisions about whether that person should have the right to use my vehicle again.

Mr Randy R. Hope (Chatham-Kent): Your insurance premiums will go up.

Mr Bisson: Like the member for Chatham-Kent says, it will also affect my insurance premiums. I recognize the opposition of the members and where the members in the opposition parties are coming from on that issue, but I think you have to be fair and see the other side of it as well. I understand your argument; I understand the other side.

On the question of dedicated revenue, the honourable member knows well that all revenues raised through the province, as with every other province across the country, go to the general revenue fund. Out of that general revenue fund, the Treasurer of Ontario, now the Finance minister, attributes money back to ministries to spend money on programs in terms of highway safety and highway initiatives. I would remind the member that the province of Ontario spends \$1.8 billion a year in building new roads and maintaining the roads we have in the province, far more than any other province. This is not seen as a means to get money to do that; we already have the budget to do that.

Mr James J. Bradley (St Catharines): I think it is revealing, it is significant, when a member of this House who has stood on many occasions and agreed with police actions and has been among those in the House who have defended the police and has been in agreement with the police associations is prepared to stand in this House, as the member for Leeds-Grenville is prepared to do, to disagree with the associations' stand and with this piece of legislation.

If there's one reputation that the member for Leeds-Grenville has established, it's as a law-and-order person, whether one agrees or disagrees with him, and many people have had disagreements with Mr Runciman on many occasions with the stance he has taken, particularly those on the governing side at present. I think it's very significant when he has taken the stand he has on this particular piece of legislation.

I want to commend him for many of the arguments he's brought to the attention of the House this afternoon, arguments which really point to the fact that this is nothing more and nothing less than a revenue bill designed to bring in revenue for the government, a bill which is designed, as he has mentioned—and I want to again compliment him on that—to derive funds from the driving public, funds which will not be dedicated to any specific endeavour on the part of the government which would assist motorists or assist safety.

All the money that is collected by government goes into the consolidated revenue fund. It's interesting that a lot of people don't realize that even lottery funds go into the consolidated revenue fund. They don't go into some special fund to be used for recreation. None of them

does. There is no such thing that is ever done.

Interjection.

Mr Bradley: For the member over there for—wherever he's from; he's just there for a little while, so it doesn't matter. I can tell you, yes, every tax that is levied, every charge that is levied, anything that happens goes into the consolidated revenue fund and still goes into the consolidated revenue fund.

The Deputy Speaker: The member for Leeds-Grenville, you have two minutes.

Mr Runciman: I appreciate the participation of other members and their responses to my comments. I simply want to say that I'm not optimistic. The member for Mississauga North was hoping that public reaction and making people aware of this might generate a different response from the government. I'm not really optimistic about that, but I do hope we can raise public awareness about the implications of this legislation. But in terms of the government members changing their views, I over the last three years have become pretty dubious about that sort of response being generated, despite the fact that the public may be very much opposed to what they're doing or considering doing.

We've seen that certainly in law-and-order issues where I simply can't believe the responses of some of their ministers. They're out of touch. Their backbenchers—we've described them as sheep-like and I think it's pretty accurate—dutifully get on their feet and try to justify what their government is doing or not doing.

I want to reinforce one thing: Take the politics out of this. The most important element that I raised in my comments today was the fact that the Royal Canadian Mounted Police took a look at photo-radar. They didn't believe it was appropriate; they didn't believe it could be scientifically accurate. But the most important observation: The Royal Canadian Mounted Police said that photo-radar was, in their view, nothing more than a revenue generator.

That's not a politician saying it on the opposition side of the House. That's not someone with a bone to pick with the NDP saying it. That's the Royal Canadian Mounted Police who've said that. If you want to think about one thing, and one thing only, that's the one to think about.

The Deputy Speaker: Any further debate?

Mr Bisson: I'm glad to have this opportunity to spend a few minutes going over some of the points on this particular bill.

I think what's really needed at the beginning of this debate is an explanation of what this bill is all about and what photo-radar is all about. Because, for whatever reasons, the way that this particular bill has been portrayed by some members of the opposition has left certain points out. That tends to confuse the public to a certain extent and I'd like to make the record show what this bill is all about and what it's actually intended to do.

First of all, what is this? We're talking about photo-radars. We're talking about installing at first a few photo-radars along some very troubled highways that we have in the province of Ontario. We're not talking about

putting photo-radars at every street corner across the province of Ontario so when our neighbours go out they're all going to get nabbed by some photo-radar. That's not what this is all about.

This is about saying we have certain highways within the province of Ontario that have particular problems when it comes to speed. If we look in our ridings we can probably find a few, but the way this is going to go is that you're going to see probably about two or three photo-radars set up initially in order to evaluate how they work and to see the effectiveness in being able to reduce the amount of accidents through speed on those particular stretches of highway. What you will see is at the most two or three of these particular photo-radars being set up initially.

The second part of this will be that there will be posted along the highway by which the photo-radar will be installed that the highway is being patrolled by photo-radar. Imagine driving down Highway 401 or Highway 11 going up to northern Ontario where there is a sign saying: "Be careful, there's a police officer on the side of the highway. Slow down." This driver knows what to do; he's going to slow down and watch what he's doing or she's doing.

What we're doing is saying we want to put people on notice that this is a troubled highway, that this is a highway on which we've had fatalities in regard to speed, and that we will post that photo-radar will be on those roads, and people will have ample opportunity to read that sign because it'll be big enough and written in such a way that you'll be able to see it and know that you're going into an area that's being monitored. So drivers will have an opportunity to slow down in order not to get caught by photo-radar.

The second thing is this whole question about the cash cow. Opposition members' role is to oppose. I'll be very frank with you: If I was in opposition I would be finding all of the reasons why I should oppose this bill, because that is a role of an opposition member. When we're in opposition we oppose government; that's what we're supposed to do.

One thing Ontarians and all Canadians have said to us, through the referendum and even to a certain extent in this last federal election, is that people are getting disenchanted with the system of Parliament and how we represent the people in our ridings. They look at this Parliament and they say, "We would like to have some debate, yes, where people are critical of what governments are doing, because that is the role of opposition," and I accept that. But let's be somewhat fairminded about how we approach particular debates.

So when we talk about the issue of this being a cash cow—

Mr Bradley: You're doing a fantastic job.

Mr Bisson: There goes the member from Niagara again. Thank you very much, I'm glad to know that.

Mr Hope: The member from St Catharines says we're doing a fantastic job.

Mr Bisson: Yes. The point I was getting to was that they turn around and talk about this being a cash cow.

Frankly, if the government of Ontario doesn't collect a dime on this, I'll be perfectly happy, along with everybody else within the Ministry of Education, the Ministry of Transportation and the minister himself. Because it will mean that the program is a success, that people are not speeding in troubled areas, that people are watching their speed themselves and they're able—

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Mr Robert V. Callahan (Brampton South): On a point of order, Mr Speaker: This is a very essential bill. It's a justice bill. I don't believe we have a quorum in the House right now. I would call that to the Speaker's attention.

The Deputy Speaker: Would you please check if there is quorum.

Acting Table Clerk (Ms Lisa Freedman): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Acting Table Clerk: A quorum is now present, Speaker.

The Deputy Speaker: The member for Cochrane South.

Mr Bisson: Just to repeat the last point, and before I get into debate, one of the issues that's been raised over and over again is the question that somehow photo-radar is a cash cow and that it's a way the government is trying to get money from people.

As I say, if this photo-radar doesn't raise a dime in the province of Ontario, that will be considered a success in my books, because it will mean that people are actually watching the speed they're driving on our highways. Really, that's what this is all about. This is a safety initiative in order to get people to reduce speeds.

Why do we want to do that? Let's take a look at some of the costs we have when it comes to speed. I was listening to the member for Durham the other day, Mr Gord Mills, talk about some of the percentages in regard to the amount of traffic fatalities that have been prevented in particular jurisdictions across Europe, and even in North America, where photo-radar has been put together. He was comparing what the accident rates were before and what the accident rates were after photo-radar had been installed in those particular jurisdictions, and the numbers were quite telling. The numbers were saying anywhere from 20% to 80% reduction in traffic fatalities and accidents across those jurisdictions.

Let's do a little bit of math on this. We know that presently in the province of Ontario there are approximately 90,000 drivers injured every year on our highways. We know that roughly 1,100 people are killed every year on our highways, related to traffic deaths. Of those accidents, a fairly high percentage are attributed directly to speed, people who are going too quickly and cannot react to an emergency in front of them and the accident happens.

The cost of that is tragic. We're talking about people's real lives. People actually get injured and die through these accidents, and I think that's something all of us really don't want to see.

If we were to accept the very low estimate and we were to say we can reduce traffic accidents by 20%—let's say we save 20% to 30% at the most—if we were to say that we can reduce traffic fatalities and accidents in the province of Ontario, let's think about what that means. We're talking about 250 to 300 people a year who would not die in traffic accidents who presently do. Those are people's husbands, wives, children, brothers, sisters. Those are real lives of real people.

The other thing is on the cost side and this is something I think people need to take mind of. If we have 90,000 people who are getting injured in accidents and we're able to reduce that by 20%, 25%, 30%, we're able to save roughly about 25,000 to 30,000 to 35,000 injuries a year. That is a direct cost to our health care system if somebody gets banged up in an accident and ends up in an emergency ward somewhere in a hospital, in Chatham or Iroquois Falls or Timmins or wherever it might be. If we don't have to pay those dollars, those are dollars saved to the taxpayers through our health care system.

The estimates on those numbers haven't even been done, but I think you can well imagine that we're talking in the tens of millions of dollars, if not the hundreds of millions of dollars, that we could save in our health care system at a time when there's not enough money to go around, and to balance the books at the end of the year.

I think on that particular point it makes a lot of sense. If we want to be able to save dollars overall as government and if we want to be fiscally more responsible, we have to look at all the mechanisms that are before us in order to be able to save some dollars, and one of the things that photo-radar will do is reduce the number of accidents.

Why do we say that? Because it is the experience in every other jurisdiction. They've had photo-radar in Alberta, in the city of Calgary, for some four years now. They've just recently introduced it in March 1993 in Edmonton. The experience there is that we've had a reduction of accidents. We've had a reduction in both fatalities and injuries in those jurisdictions where photo-radar has been installed.

We know that in California, in Arizona and in different states across the United States that have installed it, they have similar figures, depending on what state and how it's been implemented, of from 40% to 80% reduction in accidents.

We know that in Australia, New Zealand and all of their states, they have photo-radar in place and they have pretty telling stories in regard to reduction of actual accidents. Virtually every country in Europe has photo-radar, with the exception of a few. What you're finding there is the same kind of thing.

I think we have a responsibility, when it comes to public safety, to make sure that indeed we do everything we can to make our highways safer.

I accept the argument from the opposition in regard to some people in the province of Ontario won't like this. Listen, I remember back in the 1980s when the Conservative government brought in seatbelt legislation in Ontario, I was one of the people who were saying: "God, don't do

that. That's awful. You're going to restrict my ability in a vehicle."

Interjection.

Mr Bisson: It was 1974? Is it that long ago? It seems like only yesterday, but I remember when that legislation came in, and the government of the day, a Conservative government, introduced seatbelt legislation. Most Ontarians, I would say 80% to 90%—I don't know what actual figures—were opposed to wearing seatbelts in their cars because it was not the culture for people to wear belts in their cars. Most of us opposed it, and most of us went out and we lobbied our local MPPs at the time to say: "Hey, we don't want that. We don't want to be restricted by having to put on seatbelts. We don't like that." But look at today. How many people actually drive their cars without a seatbelt? It is now an accepted standard that people do. The result is that many people have had their lives saved because of wearing seatbelts.

The government of the day did something that was technically right, something that had to be done, something that made a lot of sense but that wasn't very popular on the part of the people. In the long run, people accepted it and saw it for what it was: It was a good safety measure.

The government of the day, the Conservative government—I think it was followed up by the Liberal government—put in fines in regard to seatbelts. They increased those fines at different times. If you didn't wear a belt, you paid a fine. Was that a revenue grab? No. It was a question of safety. It wasn't a revenue grab when the Conservatives put a fine on seatbelts. It was a question of having to find a way to get people to do that in order to become more safety conscious when they were driving their vehicles, and to wear a belt. So they put on their belts in order not to get the fine, and conversely, we have saved a lot of lives.

I know that I was involved in a head-on accident some 10 years ago up on the airport road in Timmins where I was doing about 50 and the other person was doing about 50 for a total impact of about 100 miles an hour, and everybody walked out without a scratch. I dare say that if we hadn't been wearing our belts, people might have been killed or people might at least have been injured. I recognize that sometimes government makes me do things I don't like, but sometimes they're better for me.

I understand and I realize that there are people in my constituency I've talked to who don't like photo-radar, and I'll say publicly in this House that I understand that. I think every member in the House has probably been lobbied on both sides of this issue. But by and large, when you sit down with people, people do accept the premise that we have to find a way of making our highways safer. We need to find a way of making highways safer by making sure they're properly maintained, that we don't have more curves on our highways than we need, that things are maintained properly in order to be able to have as safe driving conditions as possible, but part of that conditioning also has to be done on the driver.

I want to go through a couple of more issues with regard to photo-radar, with regard to some of the issues

that were raised and some of the questions around the implementation of the legislation.

One of the things that was talked about: I think it was the member for Willowdale a few days ago who raised the issue of collection of fines. There are really two issues there. One of the things he talked about was that we're going to be in the position where the legislation is not going to stand before the courts, and that we may have some court challenges in regard to the charter on the implementation of the legislation.

Everybody is like a Sunday morning quarterback when it comes to new legislation being put in place. We have an experience where it has been put in place in Canada, in Alberta, particularly in Edmonton. It has withstood court challenges before the Charter of Rights and Freedoms, and the law has been written in such a way, with that in mind, so that we don't end up in a situation where we have all kinds of charter challenges.

Yes, we recognize that if the legislation was not properly put together, we may have a problem, but one of the things we took time to make sure was that legal counsel here in Ontario looked at it and made sure it was written in such a way that we don't get a court challenge, that it would basically stand up.

Will somebody take us to court? That's always a possibility. Everybody takes the government to court at one point, but I don't think that should detract from the initiative of trying to make our highways a little bit safer.

The other issue around the whole question of the fine and how that worked was the whole issue about the person who gets the fine is the owner of the vehicle. A lot of members have stood in this House and said: "Well, that's awful. How are we ever going to administer that kind of system?" We already have that. Every time I go out and rent a vehicle at Tilden or any other rental agency in the province of Ontario and I get a fine for whatever it might be, they send the bill to Tilden, Tilden puts it on my Amex card, and I pay for it. That's been in place for a long time. Why do I know? Because I've paid a couple of parking tickets that way, to be practical about it. That's what they do. They put it on your card. If you don't have a card, they get hold of you to collect it. So we already have a system like that. That's something that's already happened.

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The other thing, quite frankly, is I think there are two sides to this argument: There are those who will argue in opposition and there are those who will argue in my constituency that what you've got is a system by which the driver will be penalized if somebody's going out and speeding in his or her car. An argument can be put that that's unfair. I understand that argument. But I say again what I said at the very beginning: we, as the owner of the vehicle, have to have some responsibility in making sure that we take care who we pass our vehicle to.

In my case, my daughter is a new driver. She's 16 years old. She's just got her licence. She's now starting to drive. I want to find out if she's out on the highway and she's speeding somewhere where she shouldn't be. I want to know about that, because I want to suspend her

bloody—excuse me. Julie, I was thinking of you. Sorry. I want to suspend her driving privileges if she starts to take that kind of behaviour behind the wheel, because I want her to be a responsible driver. I don't want her putting her life in jeopardy by doing something behind the wheel that she shouldn't be doing. I can't prevent her from ever having an accident, but I certainly want to take every precaution, as a father, to make sure that I know about her driving habits so that she doesn't do things that she shouldn't be doing. If it means to say that the government of Ontario, through the Ontario Provincial Police, is going to send me a bill because she was speeding, I will find out about it, and you can guarantee it will come out of her allowance.

Mrs Ellen MacKinnon (Lambton): Way to go, Dad.

Mr Bisson: Well, some people would call me cheap, but she'll have to pay her way the same way I have to pay mine.

The same will take care of if I lend my car to my brother or my neighbour or whoever and I get a ticket. It will be my responsibility to go to the individual to whom I lent the vehicle and say: "Hey, you were speeding in my car. I got a ticket. I want you to pay the fine." If the person doesn't pay the fine, well, excuse me, I shouldn't have lent him the car in the first place. He doesn't deserve to have my friendship if he doesn't want to pay back what he owes.

I understand there are two sides to this argument, but I just ask members to be fairminded. I accept the argument of the opposition and I understand the argument that you made, because people in my constituency have made the same argument to me. It is a valid one to a certain extent, but there is another side to this, and I think we need to take that into consideration.

The other thing I want to talk about is the whole question of police presence. The previous member who was up from the Conservative Party talked about the whole question behind the RCMP and how they see this legislation as being simply a tax grab. I've got to say, it's like having two-fisted economists. You have people out there who will say different things about different pieces of legislation from various sides. This is a democratic society in which people, organizations and groups have the right to be able to express their particular view.

In the view of the RCMP, they feel that way. That's fine. But there are many other groups out there that feel quite the opposite. So just because one particular law enforcement agency says they see this as a tax grab doesn't mean to say it is so. It means to say they have a view that is different than other groups, and in a democracy that's the way it works.

There are plenty of jurisdictions that have done this. Does it mean to say that every other jurisdiction across North America and across the world that has done this is wrong because one particular group says they are? It means to say that we have a difference of opinion, and I think that's healthy in a democratic society. I think we should take it for what it is and understand what they're saying, but I don't think you take it as the gospel truth and regard it as the only view that's out there on photo-radar. Let's be a little bit fairminded about this.

The other issue with regard to the police is that, for example, on Highway 400, most of us recognize that the OPP trying to patrol that particular highway would have an extremely difficult time trying to basically apprehend every speeder who goes down that highway. It is virtually impossible.

One of the things photo-radar will do is that it will allow the police the opportunity to get those troublesome drivers on those highways who are speeding in excess of what they should be driving.

Now, I want to make it clear. Highway 400 says the speed limit is 100 kilometres an hour. The photo-radar is not going to be set at 101 or 102 or 105 or 110. My God, you'd have everybody on that highway being apprehended. Nobody drives at 100 on that particular highway. But what they will do is set the photo-radar at a speed level, an increase 20 to 30 kilometres, it is imagined, above what the actual speed limit is, to get those people who are really abusing the system to a certain extent.

What happens is that—

Interjections.

The Acting Speaker (Mr Noble Villeneuve): Order, please. The member for Cochrane South does have the floor very legitimately.

Mr Bisson: Let's put this into perspective. I hear the member from across the way. I know him as the man with the keys to the Don jail. I know the member across the way. I forgot your riding. I apologize; I shouldn't have said that. I just forgot your riding. It's the first thing that came to my mind.

The thing is that we know the practice of the Ontario Provincial Police, like every other police force across this province. If you're driving on a highway and the posted speed limit is 90 kilometres an hour, they're not going to nab you at 91 or 92 or 95 or even 100 in 99% of cases. But if you're driving in excess of probably 10 to 20 kilometres over and being dangerous, they start watching what you're doing. If you're doing anything that's remotely out of the ordinary when it comes to how you're handling your vehicle, they will pull you over. There are instances out there, I am sure, where police officers have pulled people over for 110 in a 100 zone, but that is not the current practice within the police forces of Ontario.

The point I'm trying to make is simply this: Let's not go out and start spreading a certain amount of fear across the drivers of Ontario by saying photo-radar means anybody who's doing 105 in a 100 zone is going to get a ticket. That's not what this is all about, and I think people recognize that. Basically, what would be done is that the photo-radar would be set at a speed somewhere above the speed limit in order to watch those people who are really abusing their privileges when it comes to driving on the highways of Ontario.

I'll say again and I'll say publicly: The other thing is that if photo-radar doesn't raise one dime, one red cent, it'll be a success and it'll be wonderful. I really hope that happens. If that happens, that's great, because then we will have achieved exactly what we wanted to do when it comes to photo-radar.

L'autre point que j'aimerais faire, c'est toute la question des revenus que ce programme-là va être capable de soulever faisant affaire avec les revenus qui vont venir à la province de l'Ontario.

Les députés de l'opposition ont dit : «Écoutez. Si les argents qui sont soulevés à travers ce programme seraient dirigés directement pour réparer les routes dans notre province ou qu'on utilisait l'argent pour des initiatives pour conduire nos véhicules, «safety», ce serait très bien. On serait d'accord avec le programme et on dirait que oui, c'est une bonne idée et on donnerait notre appui à la législation.»

Le point est, et on le sait tous dans cette Législature ici, que tous les dollars que le gouvernement soulève à travers de différents mécanismes de perception à travers la province vont dans la même place : dans le trésor de l'Ontario. Le Trésorier de la province de l'Ontario chaque année s'assied, fait un budget pour chacun des ministères et dit, «Tenez, les argents appropriés pour cette année faisant affaire avec les opérations de votre ministère.»

Ça veut dire que si, par exemple, le «photo-radar» veut dire qu'il va y avoir, on va dire, deux millions ou cinq millions ou 20 millions ou pas de dollars de revenu d'attirés à travers ces initiatives, l'argent va directement dans «general revenue» et le Trésorier prend des décisions faisant affaire avec où l'argent va aller pour les différents ministères.

L'autre affaire, c'est que le ministère des Transports de l'Ontario dépense déjà environ 1,8 milliard de dollars par année dans la province de l'Ontario quand ça vient à l'infrastructure de nos autoroutes et nos chemins. C'est plus que n'importe où à travers la province. C'est même plus que le total dans le petit livre rouge de M. Chrétien à Ottawa, qui parle d'un milliard de dollars pour une année pour tout le pays. Nous autres, on dépense 1,8 milliard de dollars par année seulement pour nos routes et quatre milliards de dollars pour des projets de capitaux.

Dire : «Écoute, la raison pour laquelle je ne veux pas donner mon approbation à ce morceau de législation, c'est parce que l'argent ne va pas directement aux initiatives de sécurité sur nos autoroutes — on a besoin de regarder cette affaire-là un peu plus clairement et puis dire que si on veut trouver des raisons à s'y opposer, je ne pense pas que ce soit la meilleure raison qu'on a.

The other point I would like to make, and I'll end at this point, is just to say this. I'll say again directly to the members of the opposition that I accept and I understand the arguments that some of the members are putting up on photo-radar. I accept it because I understand the role that opposition plays. Some of the concerns you raise are legitimate concerns that have been raised to you by your constituents, and I understand that. I've had the same people come to me and express pleasure and displeasure about all kinds of legislation introduced in this House and every other House that ever sat before us, but that should not deter us when it comes to a safety initiative.

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If at the end of the day, through photo-radar, we are able to make our highways safer and are able to save lives and prevent injuries, I think we have done a service

to the people of the province. Will it be the most popular piece of legislation or program this province has ever done? Of course not. There will be people in opposition to it, the same as when we did the seatbelt laws, but nobody can argue with the fact that by making our highways safer, we're going to be able to save lives within the province and prevent injury. For that, I think we need to give support to this legislation and we need to go ahead.

With that, Mr Speaker, I would like to thank you for this opportunity in debate.

The Acting Speaker: The time is now for questions or comments.

Mr Callahan: One of the problems with this bill, like some of the justice bills brought in by this government, is that they're eroding the rights of people, taking away their right to be heard.

The member for Cochrane South says, "Well, they'll set the radar at 110 in a 100-kilometre zone." I hope they carry a copy of your Hansard with them so they can wave that at the judge or the justice of the peace and say, "I was told by the member for Cochrane South that I wouldn't get a ticket until I went over 110 kilometres." That may be a defence. Who knows?

What I've got to say to you is that you're making laws for people and you seem to think it's perfectly all right to take away the basic right, the basic freedom of every person who lives in a free country to have the right of a trial, to have the right to confront their accuser. This bill eliminates the necessity for the officer arriving at the court if you enter a plea of not guilty, unless you serve notice that you want him there. How many people do you think are really educated in the law and are going to know that? So what you're doing, just to grab money—that's the only reason I can see for this—is that you're depriving people of rights they will not be aware of unless they go out and hire a paralegal at \$600 or \$800 or a lawyer at perhaps more or less than that.

With every piece of legislation you look at in terms of justice, you seem to forget there is an inalienable principle that everyone who is accused of a crime, whatever crime it is, be it a Highway Traffic Act offence, has the right to be heard, has the right to confront their accuser. You're creating what in effect could be the inquisition of the 1990s through to the year 2000 and beyond. That is part of the problem. I suggest that the Magna Carta perhaps is being eliminated by some of the justice policies that have been brought forward by the Attorney General, who doesn't seem to understand that it's justice. It's not a question of revenues being collected.

Mr Tilson: I'd like to make a few comments with respect to the member for Cochrane South. The emphasis of the member's comments is that this is a safety issue, and it is that specific point I take great exception to.

When you look at what photo-radar is trying to do, it is trying to stop accidents, and it is identifying someone who's driving a car and the message goes to the owner of the car. It's rather a strange process. You've cited other countries and other jurisdictions where photo-radar has been tried, but to be fair, there are other jurisdictions that

have tried it such as Illinois, Arizona and California, to name several, that have tried it and have said it doesn't work. They don't want it and they've backed off. That's exactly what's happened.

There are three basic reasons why photo-radar is not going to be successful.

The first is that there's no traffic stop, which means that people who are committing other offences, drunk driving or other offences, won't be stopped at that specific time.

The second is that the vehicle owners are being presumed guilty and must prove their innocence, a rather strange new introduction into our laws, even for motor vehicle drivers. It's a rather strange situation to say you're presumed guilty and you must prove your innocence. That's one factor that is rather a new process that this government is introducing into our society.

The third challenge with respect to the legislation is that it can take a week for a ticket to arrive in the mail, perhaps longer, depending on where you are and the type of mail service that's available. Sometimes the equipment may be incorrect or erratic. If people get something in the mail, they don't know what in the world it is, let alone something that happened a week before, whereas if they were charged at the time of the offence they would know exactly what they'd done. It's a rather unfair procedure you're creating. In fact, you are indeed creating a cash cow.

Mr Hope: I know the member in his time would have loved to talk about the parking ticket issue. When a car is parked on the side of the road, there's no driver, there's nobody in it, and it sits there and we put a parking ticket on it. Who is responsible for that ticket? The owner of the vehicle is responsible for the ticket. Sometimes they don't even know the ticket's there because it might fall off the windshield or whatever. When you argue about being presumed guilty until proved innocent or whatever allegations you're talking about, I think you have to use it in that context.

We try to grasp this thing, because I guess it is a breaking of habits, the habit of driving over the speed limit. The member asks, "How do you know what this radar's going to be set at?" Talk to most OPP officers. They'll tell you that the radars they have are already set a little higher than the normal speed limit. That's common knowledge. That doesn't take a mathematical genius to figure out.

I also have to ask a serious question: Why do we have speed limit signs posted on our highway and on the bottom it says "maximum"? Doesn't that tell people that is the maximum speed we can travel?

If we were to equip our police officers appropriately to start catching some of these Porsches and other turbochargers—let me tell you, the motorcycles they're building today are rocket spaceships; they fly down the highway. Do you want to jeopardize more lives by even higher-speed chases to catch somebody speeding? That's what we're talking about.

You talk about the state of California. Do you know why the state of California brought in photo-radar? They

brought it in because they had to have super-charged cop cars there to try to catch them on the highway. They were making sure they could put the radar in place to stop jeopardizing the safety of officers.

If people are driving over the speed limit, they're breaking the law and they have a responsibility, just as if they park in a no-parking zone they will get a parking ticket.

I go back to the real issue: What is the maximum speed limit? If you're over, you know you're in violation of a law.

Mr Bradley: The member in his remarks to the House kept suggesting that those in the opposition speaking on this bill are opposed to it because that's the opposition role, to oppose government policy. In fact, there are a number of pieces of legislation that come before a House in any session with any government in power where there is some agreement on the legislation. Bill 17 was one example. Everybody in the House except me agreed with Bill 17 apparently, so I exercised my option to not vote in favour of Bill 17. I point that out to the member. In this case it has nothing to do with the fact that you are bringing it in. I opposed this when this bizarre idea was brought before the Liberal cabinet. There's always discussion of some of these measures. I thought it was crazy at that time and I still think it's crazy because it's a straight cash cow.

I know the member will say that if you put these cameras up, it allows the police the time to spend on other things. I think the police should spend their time going after bad drivers, people who are weaving from lane to lane, people who are driving in a very dangerous fashion, and police over the years have largely exercised that particular option to go after those very dangerous drivers.

Another problem that exists on our highways—the member lives in northern Ontario. If one has to drive up Highway 11, what about the pokers who sit in the left lane doing 37 miles an hour with 91 cars behind? People pass, and they have to accelerate to pass. If there happens to be photo-radar there, we're going to have a good cash cow for the Ontario government because everybody's going to have to speed up to pass the parade leader.

These are the kinds of things I think the police should be concentrating on. I don't mind that they're going after people for speeding when they're clearly in a dangerous situation, but this is simply a cash cow and nothing else.

The Acting Speaker: This completes questions and/or comments. The honourable member for Cochrane South has two minutes in response.

Mr Bisson: I listened to comments from members in the House in regard to what I had to say in the debate. I say to the member for St Catharines that I don't pretend for a second that the opposition parties don't have the right to oppose legislation; that's not what I'm saying. I am saying that I would like, at least sometimes when you come into this place and you're having a debate, that you speak around the issues and try to recognize that there are some net benefits in this legislation. For anybody to stand here and say this is strictly a cash cow and that there is

no safety initiative tied to this I think is not being as upfront about this legislation and as fair as they should be.

1650

Fair is fair. I understand the point and I accept the arguments from the members of the opposition. I've heard the same comments made in my riding on the part of some of my constituents, but in fairness, when we sit down and we talk about this, my constituents also recognize that there is a safety component. They may not like it but they understand it and all I ask the members is to do the same thing.

In regard to the member who raised the issue of comparing photo-radar to the Magna Carta—my God—I won't even comment on that one. I would only say to that member, you don't have any rights if you're dead. If somebody gets killed on a highway because of speed, they're not going to have any rights if they're dead. If we can save 250 to 350 lives a year in the province of Ontario in traffic accidents, I think it's an initiative that's well worth taking and something that's deserving of the support of the members of this Legislature.

I would just urge members again at the end that I recognize this is a partisan Legislature. It's a Legislature whereby people have a role to play by bantering back and forth when it comes to legislation, but all I ask is members to be somewhat fair in the debate of this legislation. I've been listening here patiently for a week. I've heard members make the same points over and over again and not once is there even an attempt to be fair when it comes to looking at this legislation.

I accept some of your arguments the same as the rest of the members of this government. We ask you to be somewhat fairminded reviewing this legislation and give support for this very important legislation of the people of Ontario.

Mr Offer: I'm pleased to join in the debate on Bill 47, which is referred to as the photo-radar legislation. I speak, let me say right at the outset, in opposition to the bill, with some serious concerns which the government and government members have not been able to address. I hope that in the time allotted maybe we can go through some of those concerns I have.

Just to begin, I have the news release from the Minister of Transportation which indicates what this thing is all about. I thought it might be fair just to read part of it so those who are watching can put this debate in some context.

It says: "The use of photo-radar cameras" will be used "to photograph the licence plates of speeding vehicles. Virtually all speeding vehicles are captured by the cameras." They say that it will reduce risks, that it will make the system fairer. "A speeding ticket will then be mailed to the vehicle owner, together with a photo of the licence plate of the vehicle."

I think it's important to realize that, firstly, what we're talking about is that they're going to set up some photography, contraptions on the side of roads and they're going to take pictures of cars that pass. We've heard members from the government side saying, "Well, it's not

going to really be people who are above the maximum limit; it's going to be people who are way above the maximum limit," and we've heard some discussion as to what way above the maximum limit might be, whether it's 10 kilometres above the maximum limit, 20 kilometres or 30 kilometres.

The fact of the matter is that if we can, and we must, believe what the press release of the Minister of Transportation says, there is going to be a ticket issued for anyone who exceeds the maximum limit, period; not 10 kilometres, not 15 kilometres, not 20 kilometres, but one kilometre. That's basically what the minister, through his press release, has indicated.

I'm opposed to this for a variety of reasons. The first reason I'm opposed to this, and the government just can't come to grips with this, is that individuals who were not in the car, but happen to be the owner of the car, will be the ones who are charged. I just have a very difficult time understanding how we can change the law so fundamentally that we say the person who is speeding doesn't get the ticket; rather the car gets the ticket and whoever owns the car gets the ticket. There's something that's just wrong about that. If someone is breaking a law and they are caught, they should be charged and then have the right to a trial to prove their particular position. This bill is a real difference in that the person who receives the ticket or the fine may, in many ways, never be the person who broke the law.

For members of the government, that might be a small point but I think it's an important point. I think it's very important that we keep as best we can the principle that those who break the law and are caught and charged are the ones who, if that charge is proved, face the penalty.

This bill takes us into a whole new area, and that is that it doesn't matter whether you broke the law. If you happen to own the car that was driven by somebody who broke the law, then you suffer the penalty. There is something very wrong with a system that creates that. The government has not been able to address that point.

I will state at this point that I find it patronizing, if not demeaning, that members of the government side say that whenever opposition members bring forward arguments or concerns about the legislation, it is only because we are opposition and not that the points we raise have some validity. I say that just as an aside because I find that to be particularly demeaning to members on this side of the Legislature, and particularly demeaning to, for instance, my constituents who have brought forward these concerns to me, that I, as their member, bring forward in this Legislature. I think that there's a problem in that area which, I will tell you, I don't expect members in the government to address, because it would be surprising if they would.

We have heard these examples of children speeding in cars, our cars, and that this is the bill that's going to really make sure we keep tabs on our kids. I'm a father of three girls; the eldest is 14. Let me tell you something: This bill doesn't help me at all. I will tell you why. You would think, by listening to the members of the government, that on Friday your child is going to have borrowed your car, have sped, that their picture is going to

be taken and that you're going to get a letter and a fine Saturday morning so that you can say: "Wait a minute. I didn't have the car last night. You did. You're the one who sped and I want to know more about it."

Listen, this bill isn't going to do that. You're going to get a letter, but it's going to be six weeks after the date, and I challenge anybody to try to remember where they were six weeks ago. I challenge anybody to remember where they were driving six hours ago in many cases. So you're not going to have any real confidence that it was your kid. It could have been you. You're going to say, "Jeez, was I on that road that night? I can't even remember where the heck I was going."

There is no security that you're going to receive because of these letters you're going to receive four and five and six weeks and probably three months later, and you're going to say: "Jeez, I don't know who the heck had that car. What the heck was I doing on the road that evening?"

1700

The problem is that what the general public in many cases is going to do is pay that. That's wrong, because they might not have committed an offence. It is wrong to plead guilty to a matter that you have not done. If you think that it is right, in the sphere of expeditiousness, then you're totally wrong in principle. So there is no grand scheme in which you're going to be able to keep tabs on your children, because you're not going to remember who was in the car. That is a problem. It is a problem of fundamental, if not natural, justice.

These are not just my concerns; they're the concerns of people who have called me who are very concerned with maintaining safety on the highway. I've heard people speak about, "The speed limit is this and it should be that," or, "It should be changed to this." I don't think this bill is about that. There are others who decide what a proper speed limit on a road should be, and they take into account a whole variety of factors: the type of road, the lanes in the road, the usage of the road, where it's located. That's not for this bill. This bill assumes that roads have speed limits. What this bill fails to do is make certain that safety is enhanced. This bill does not enhance safety; I believe it takes away from safety.

I think it's just absolutely clear why this bill fails. This bill fails because it is an affront to natural justice—it is an affront to justice. It does not permit the person to be charged with an offence at the time of committing an offence. It leaves a lag period of six or seven or eight weeks.

Mr Turnbull: On a point of order, Mr Speaker: I think the member has some very salient points to bring to the assembly, and we don't appear to have a quorum.

The Acting Speaker: Do we have a quorum? Can the clerk check, please.

Acting Table Clerk: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Acting Table Clerk: A quorum is now present, Speaker.

The Acting Speaker: The honourable member for

Mississauga North may resume his participation in the debate.

Mr Offer: Just made it. When I left off, I spoke about how this bill didn't enhance safety but really did take away from the safety aspect. I want to explain why I feel this way. I have spoken about my concern that a person who has not broken the law is going to get charged as if they had broken the law, and there will be a sufficient lag of time, in my estimation—six, seven, eight weeks—that they will not know with any real degree of certainty what in fact they were doing or where they were driving a couple of months ago. I have a concern about that.

But what about the safety issue? We also have to recognize that not only is this bill faulty in terms of its justice issue, but, remember, there are no demerit points attributed to any conviction. I want to talk about that for a short period of time, because we now find ourselves listening to different speeches by the same minister.

The Minister of Transportation, on photo-radar, Bill 47, says this bill will enhance safety. The same minister says, in the area of seatbelts—I happen to have a quote. We will remember that just a very short few weeks ago the Minister of Transportation announced that for those who do not wear seatbelts, demerit points would be issued. So here we have speeding, photo-radar, demerit points not issued; seatbelts, it's announced by the same minister that demerit points would be issued.

Why did the minister say in that area, "Sadly enough, experience in other jurisdictions indicates that it's not the risk of being killed"—and he speaks about the seatbelt in this case—"but rather the penalty of demerit points that convinces non-users to buckle up"? So the Minister of Transportation, on seatbelts, is saying that the way in which we can enhance safety is by saying to those who don't buckle up, "Two demerit points," but for speeding, no demerit points. Many people would say: "Now, wait a minute. How can the minister say two different things and try to come to the same conclusion?"

The point I make is that it is clear that in many areas demerit points are the real deterrent, that people don't want to have demerit points added to their driving record. In this case, photo-radar, the one that's trumped up by the government as enhancing driver safety and highway safety, no demerit points are added. In the words of the minister, the same minister, where is the consistency?

I have just thrown aside the issue that government members tried to promote, and that is that photo-radar enhances highway safety, because in the minister's own words, it doesn't. Demerit points, in the opinion of the minister, are the only things that really will cause people to buckle up or to comply with the law. So it is a fallacy.

1710

Now we have two problems. Firstly, people are going to be charged for no other reason than that they happen to own a car that was speeding. Secondly, they will not get notification of that, in my opinion, for at least two months, so I believe there is a serious justice problem as to then being fully aware of the time and the place when the offence occurred.

Next we have the issue that demerit points by the Ministry of Transportation are important to be assessed for seatbelts, because that will cause people to buckle up, but are not important in photo-radar for people who are speeding. For the first time in the history of this province since demerit points were introduced, there will not be any demerit points for speeding upon a conviction. If that enhances road safety, then we have a strange sense of what's right and wrong in this province.

The next issue I want to deal with is one I came upon in an article, and I think it's important to refer to this article. It's written by Bob Vaillancourt, and it states:

"A new form of radar designed to photograph the licence plate of a speeding car will be nothing but a colossal nightmare, says a Sudbury lawyer." This lawyer, "who in addition to practising law has taught the subject at Laurentian University, says that while the new devices will generate 'tons of money' for the province, they will also generate a legal nightmare."

Let me stop there. That's not a member of the opposition saying that. It is a person who is both a lawyer and a professor who is giving us the benefit of his opinion.

It goes on to say that "photos of the licence plates of speeding vehicles and speeding citations will be sent to the registered owner of the vehicle who is held responsible."

"They are going to be real bugger," says Hurtubise. "The big problem with them is they will be charging the owner rather than the driver."

They expect the device to be challenged under the Charter of Rights and Freedoms and there's concern with the potential for administrative errors. "It's going to be an administrative nightmare. If you assume that nine out of every 10 cars are speeding"—and we can change those numbers to whatever assumption we wish to make—"the camera will take nine out of every 10 cars' pictures."

"But when it comes to entering all those numbers in government computers, there are bound to be human errors and that is where the problems come in."

"Nightmare" is the same word that is used by the police in describing the device.

"It will be a public relations nightmare," says Sergeant Dan Lee of the Sudbury district headquarters of the Ontario Provincial Police. "People don't like it."

"Lee predicts it will have a tremendous effect on the speeding driver. But he says the device takes human contact with police out of the equation."

Let's talk about that, because members of the government side have brought forward this issue that the speed limit might be 100 but it's really 110. What they've done is they've introduced the human equation, without using those words. In the past, the only way to get a speeding ticket was to be handed one on the spot by a police officer. With the new photo-radar, there won't be that contact, and that I believe to be not only a human equation issue but also one of justice and fundamental rights.

It goes on to say:

“You can’t say to the camera, ‘I’m on my way to the hospital with my wife; she’s pregnant.’”

“Police will lose any discretion in laying charges, says Lee. ‘Either you were speeding or you weren’t.’”

There is no human equation, as in fact even members of the government side have said. They have given examples of the human equation. The example they themselves gave was that charges are not laid unless you’re 10 or 15 or 20 kilometres over the maximum speed. That now is out. There is no human equation.

“Either you were speeding or you weren’t speeding. But,” it goes on to say, “you can go to court and say, ‘I was on my way to the hospital with my wife and she was pregnant,’ but you have to go to court to prove that.”

Mrs MacKinnon: What’s wrong with that?

Mr Offer: The member says, “What’s wrong with that?” What’s wrong with that is that you’re taking—and the member shakes her head in utter disbelief, which I can understand. The fact is that in the laying of charges, especially in speeding, there has been a human equation, and if there was a discretion that police officers would give to drivers, it was they who did that. If there were extenuating circumstances such as having to rush someone to a hospital, that would be taken into consideration.

You now will have to go to court to have that extenuating circumstance proven, and the problem is that you’re not even going to get notice of that until two and three months later. I believe this is nothing at all to do with safety because you’re not issuing demerit points, and if you’re not issuing demerit points then you can’t say it has anything to do with safety. It has to do with collecting loot. It has everything to do with sending people a notice that says, “Three months ago you were on this road and your car did this and if you pay, you’re okay, but if you don’t, you’re not going to get your licence renewed, or you can go to court and try to prove you weren’t there.”

We are getting ourselves into a problem of incredible dimension. No safety is enhanced. In fact, as soon as people figure this out, it will be eroded. Justice, civil rights are eroded. The only thing that the government is doing by this bill is setting up the mechanism to collect money. I have a concern with the government doing that under the auspices of, “We’re going to make our roads safe.”

Let me ask anybody, since when does your road become safer when a speeder, convicted, doesn’t get a demerit point? The roads don’t get safer. The opposite occurs. The government gets its money, but at what cost? They get their money at the cost of a person’s rights. They get their money at the cost of extracting the human equation from these things which have been the rule for years.

People speeding to hospitals in an emergency don’t get speeding tickets. They have an excuse and the police understand that and have accepted that. You are bringing in legislation that takes that away. People who have been found guilty of speeding over the maximum limit, upon conviction, are awarded demerit points. That is viewed by

everyone, including the Minister of Transportation, as a deterrent. At least he said that when he talked about buckling up seatbelts. That is taken away. You are taking away all of the strengths and replacing it with weaknesses, just so you can collect some dollars.

1720

You are saying that this is going to allow us to have a better sense as to what and how fast our children are going when they borrow our cars. That’s wrong, because you’re not going to get notification three hours later; you’re going to get notification three months later and you’re not going to know if it was your kid who was driving the car. In fact you’re not going to know who was driving the car.

What option do you have? Are you going to go to court and say: “Well, it’s my car. That’s the picture. That’s the speed”? They’re going to say, “Can you swear that it wasn’t you?” You’re not going to be able to do it. It was too long ago. So what you’re going to do is be found guilty of an offence that you did not have notice of in a timely fashion. You’re in effect going to be pleading guilty to a matter when you should not. It takes away your right of defence.

People will say, “Well, you know, it’s just a speeding ticket.” I think the principle is much greater than that. I believe it’s important that when people break the law they are informed of that fact, that they are informed of the law that they broke, that they are informed of the events that led up to the breaking of the law, that they are informed of their rights and that they then can try to take whatever action they wish. This takes all of that away.

It is not about road safety. It is all about the government doing a quick and dirty pickup of some loot at the expense of people’s rights, and I am very much opposed to this bill for that.

The last point I want to make is one that I have not heard from the government side, and that is, are there going to be public hearings on this bill? Are we going to allow the general public to have a significant and sufficient time to come to a committee and share their thoughts?

The reason I bring this up is because I asked a question in the Legislature to the Minister of Transportation on October 5, 1993, on this very issue. The minister responded by saying January 1 is when this is going to be implemented by way of a pilot project. Well, we are sitting here on November 4, still in second reading debate. The bill has not yet, obviously, gone out to a committee for public hearings.

Is the general public going to be allowed to speak on this bill? Is the general public going to be allowed to be part of a consultative process about what this bill means to them, about whether they are in favour or opposed, or has the minister unwittingly indicated that this bill is going to be shoved through this Legislature so that it will be a pilot project January 1?

If it is a pilot project January 1, then the public will have no right to be part of a public hearing process. They will have no opportunity to let their thoughts be known,

their opinions be heard, and I would like to hear from members of the government whether there is a full commitment to public hearings on this bill and that they will be done in a way which is befitting the public of this province and not railroading and ramrodding a bill through which erodes public safety, which is nothing less than a cash cow and is one that should be defeated at the very earliest opportunity.

The Acting Speaker: Thank you. The time has come for questions or comments.

Mr Tilson: I'd like to congratulate the member for Mississauga North on many of his thoughts with respect to this piece of legislation. One comment he raised was the issue which exists in my riding of Dufferin-Peel, which is really two large municipalities. One is Dufferin and one is the town of Caledon. Many of the people in my riding live in the "country," to put it in quotation marks, and many of them have, not out of wealth but out of necessity, more than one vehicle. I can think of several families where the mother or the father have a vehicle and there are several adult children who have a vehicle. It's a fairly common occurrence, and they all interchange with their vehicles.

I guess the member for Mississauga North raised an interesting question if something comes in the mail. It's hard to say whether more than one individual would own those vehicles but generally it's owned by one or two individuals, the various vehicles, depending on the age of the adult children. I could just see it arriving in the mail. Who is who? Who was driving what car? Where were they?

It's going to be a really unfair problem, and I can just see that in many households there will be denials left and right as to who was driving the car, where they were, how fast they were going.

The member for Mississauga North is quite right. It's an unfair, impractical situation when the whole issue that the government's trying to do is to create safety, and yet they won't know they were doing it. They won't know they were even in a specific car. So the whole thought process is invalid.

I will say, when you start talking about the issue of safety, that there are statistics out that I believe are reasonably accurate, and that is the whole subject of motor vehicle accidents. There are more accidents caused by careless driving, going through red lights, and other areas under the Highway Traffic Act that are broken. Speeding is only one component.

I would support the member for Mississauga North in his comments.

Mr Anthony Perruzza (Downsview): There's only really one statistic here that I think needs to be looked at. It's not a statistic that you and I can produce. It's not a statistic that you're going to find in any one book. I believe it's a statistic that exists deep within each and every one of us and that's the one statistic that if a photo-radar is the—if there's a camera on a highway, someone who's going to be a maniac on that road knows there's that camera and slows down and doesn't wreak havoc on that highway and on the life of my mother, my father, my

brother, my sister, my son or my daughter. I think each and every one of us can say the same thing: Those lives have no prices; there is no price.

I fundamentally believe that statistic is out there. We all know it. We all feel it. No one is going to flash it before our eyes in black and white, but it's there. If there is nothing else, that in itself is worth supporting this bill.

I don't support entrapment, I don't support the concept of Big Brother watching over everyone. I support the principle of safety and if this use of technology saves one life, it will have been worth it.

Mr Callahan: The member for Downsview talks about if his loved ones were out on the road and there's some nut driving along in excess of the speed limit, how he will be concerned about that. He feels safer because they won't be speeding because they know they're entering an area where their picture's going to be taken.

The issue was raised before. Let's say somebody is doing 150 or 160 kilometres in a 100-kilometre zone, weaving all over the road and they take the picture. There's no police officer there to stop that person. It's far more likely that person is going to be a danger. If he was stopped by the police, they could take him in for whatever is wrong, for what is causing his driving that way. They could get him off the road as an unsafe vehicle. No, instead of that it's going to be, "Smile, you're on candid camera," and the person takes off and continues to drive all the way to London from perhaps Kingston at the same speed, because he doesn't see any police cruisers. He's had his picture taken; that's it.

I tell you something: If you look at this bill closely, those aren't the only things that are in here. This is a pot-pourri, it's a cash cow, it's an effort to impose licence suspensions for such things as the Game and Fish Act. Now tell me where that is safety enforced?

1730

It's got such things as any other act that the Lieutenant Governor in Council wants to put into the schedule. That means the cabinet, any time it figures it's not collecting the fines and the treasury's getting a little low, can go out and suspend people's licences for infractions of offences under the provincial offence legislation that have absolutely nothing to do with driving.

We've all seen the great turmoil that came about when they brought in this wacko provision that you had to go and pay all these fines and people were at the provincial court saying, "I paid the fine; give me my licence back." "Well, we don't have any record of it, so you'll have to pay it again." Then when you go and pay your fine to get your licence back, for some reason, with the computer age, it takes 10 working days for a trucker or a person who needs their licence for their livelihood to get their licence back.

The Acting Speaker: We can accommodate one final participant.

Mr David Turnbull (York Mills): The member for Mississauga North makes many excellent points, but most importantly, he makes the point that really this is a cash grab by the government. They want more revenue. If indeed the government claims this is not a revenue grab,

it would be very easy to prove this. We know the provincial police forces and the municipal police forces around the province are seriously underfunded. If the government wanted to refute the claim that this is a cash grab, then what it could do is move to make sure that all additional revenues as a result of photo-radar would be dedicated not to the general revenue fund but to the police forces as additional revenue, not instead of the current funding.

I suggested that in my own debate, but there was no response from the government. It's quite obvious this is a government that is desperate for funds.

The real disincentive to speeding is demerit points. If you have somebody who is terribly affluent, it doesn't really matter to them that they get a fine. What they have to get is the contact with police and the demerit points. That is really a disincentive because they, like anybody else in the community, will suffer as a result of demerit points.

Also, we have to consider the very serious legal potential for charter challenges in that this legislation does not allow the person who has sped to face their accuser, which is a fundamental right within our system of law. I would think the government should have thought hard and long before it introduced this legislation.

The Acting Speaker: This completes questions and/or comments.

Mr Offer: I thank all who have taken part in the 10-minute wrapup. I can only reiterate the point I made earlier. I believe this is a bill which takes away the fundamental rights of individuals to know of a charge at the time they have committed the charge. I believe this is a bill which in essence charges and will charge in many cases the wrong person, that this is a bill that is only involved in and only concerned with raising money and that's the only reason the government brought it in.

I believe this bill does not enhance road safety; rather it detracts from road safety. The reason I say that is because this is a bill where a person who is a speeder will not receive any demerit points. The Minister of Transportation, in his own words on this type of issue dealing with demerit points, says that demerit points are the only effective deterrent in making people comply with the law. Yet for speeding on our highways, they are not going to be issuing any demerit points.

This can lead one to only one conclusion: It has nothing to do with road safety. It has nothing to do with making our family and friends safer when travelling the roads. It has everything to do with a nifty new way the government has found to raise money. But they have raised money at the sacrifice and expense of people's rights. They have raised money at the sacrifice and expense of highway safety.

I believe this is a bill which should, firstly, be defeated, and, secondly, have full public hearings so the public can impress upon the government how wrong they are.

The Acting Speaker: Further debate on the second reading of Bill 47? The honourable member for Dufferin-Peel.

Mr Tilson: Thank you, Mr Speaker. I do want to participate in the second reading of this bill.

The title of the bill is the Provincial Offences Statute Law Amendment Act, 1993. It's also known as Bill 47. It has three objectives, although the most controversial is the photo-radar section, which many of us in this place have been spending most of our time on. But I would like to say what I understand the three objectives are. It amends the Highway Traffic Act to allow photo-radar technology to be used to detect speeding offences; it amends the Provincial Offences Act, the Highway Traffic Act and other statutes to make fine enforcement more effective; and it amends the Provincial Offences Act to change the procedures governing minor provincial offences and to change the duties of the justice of the peace.

I don't intend to spend too much time on the issue of the efficiency that the government is trying to improve on. I suppose that I could congratulate them on that aspect. But I do take strong exception to the first issue, which has to do with photo-radar.

The member for Downsview a few moments ago referred to George Orwell and the "Big Brother is watching" issue. Almost every other speaker talks about that. In other words, many, many speakers in this place, I believe on all sides, are concerned with the issue of civil liberties, and we do look back to our school days when we studied George Orwell, and specifically Nineteen Eighty-four. Ironically, it's now almost 10 years later. I think when we were students and we read this book, we had a lot of concerns. Is it possible that the things in Nineteen Eighty-four are going to happen into our future? So I took the time, because of the number of people who have referred to Orwellian—

Interjection.

Mr Tilson: Well, I'd like to tell you what it says. You may laugh at what it says, but it does give me grave concern because the element of possibility is there. In other words, the element of when we're watching television, for example, having someone in the screen looking back at us. That is the fear, I suppose, that we have.

I will quote from page 6 of this text, which I got out of the legislative library. It's well read:

"The telescreen received and transmitted simultaneously. Any sound that Winston made, above the level of a very low whisper, would be picked up by it; moreover, so long as he remained within the field of vision which the metal plaque commanded, he could be seen as well as heard. There was of course no way of knowing whether you were being watched at any given moment. How often, or on what system, the Thought Police plugged in on any individual wire was guesswork. It was even conceivable that they watched everybody all the time. But at any rate they could plug in your wire whenever they wanted to. You had to live—did live, from habit that became instinct—in the assumption that every sound you made was overheard, and, except in darkness, every movement scrutinized."

Scary stuff. I know the members of the government will say: "Oh, give me a break. Is this happening in Bill

47?" But when you think of it, a camera is going to be on an unmarked motor vehicle on the side of a road, watching us drive down the road.

Mr Perruzza: At every gas station, you're on camera. In this place, you're on camera.

Mr Tilson: Well, you're right. We are on camera in this place, but I guess I'm concerned about a further erosion of our privacy. Do we have the right to drive down a road undetected by cameras even though we may not be breaking the law? Someone may be taking my photograph even though I'm not speeding, because that's what this camera's going to do.

I will give you an example. Every motor vehicle will be photographed. Every motor vehicle will be photographed that goes down the road, and that concerns me. I believe that safety—

Mr Perruzza: You don't walk into any variety stores any more? Any time you walk into a variety store, you are on camera.

Mr Tilson: The member for Downsview continues to interrupt me. I know he has the concern of safety as well, as do all of us on all sides.

Reference has been made to a Caledon inquest where we had a tragedy in my riding of Dufferin-Peel, and specifically the southern half of my riding, the town of Caledon, where there was a grave tragedy. I made a statement in this House expressing my concern. There was a coroner's inquest in which many of the topics were discussed: graduated licensing, the age of the drivers—was it too high? was it too low?—the whole issue of impaired driving, and there's no question that the subject of photo-radar was discussed.

1740

I have a news clipping from the Orangeville Banner of October 1 which reported on this Caledon inquest. It talked about evidence given at the coroner's inquest about photo-radar. I'd like to quote from it regarding some of the findings that were made at this inquest:

"Superintendent Brittan told the jury that in Australia, the introduction of photo-radar was accompanied by a graduated licensing system, roadside spot checks and improved highways. With a coordinated safety program, you could save lives and billions of dollars."

In other words, in many of the jurisdictions that are being cited by the government, other things are going on. Are our roads being improved? Is graduated licensing coming? Yes. There's a paper that's been moving around this place; a committee this summer spent some time on graduated licensing. But it is strange that this specific piece of legislation is being introduced alone, away from all other things, without consideration of any other matters: without consideration of the driver's age; without consideration of the issue of impaired driving, particularly of young drivers and new drivers; without consideration of the graduated licensing process; without any planned attempt to improve our roads, aside from the issue of toll roads, which may or may not happen in this place. That is part of it, the whole issue of overall safety.

When we say it's a cash cow, it's very suspicious. Of course you can say, "You're just playing with words,"

but it's very suspicious when you're not looking at the overall picture. You can say you're looking at the overall picture and, yes, you're looking at graduated licensing, but so far we haven't seen anything. We've presented petitions in this House to get you moving on it, but you continue to delay.

"Engineer David Ellis"—this is the main reason I'm referring to this article—"set up a photo-radar system on Highway 10, Highway 50 and the Forks of the Credit Road on September 7. Mr Ellis told the jury that between 4:18 pm and 5:25 pm on Highway 10 near 5 Side Road, 448 cars were monitored." In other words, every car is looked at. "Of the cars that were photographed, Mr Ellis found that 96% were travelling at more than 80 kilometres per hour, which is the posted speed limit."

The speed limit is 80 kilometres per hour and 86% were travelling in excess of that speed limit. It said that 40% of the vehicles were travelling at speeds of 100 kilometres or more, and the average speed of the vehicles was 98 kilometres per hour.

In other words, speaker after speaker in this place talks about the fact that they drive the speed limit and everybody passes them. If that's the problem, is taking a picture of the cars going to solve the problem? I suppose you'll get some sort of summons in the mail. If you have two or three vehicles in your garage, particularly if you live in an area such as mine where out of necessity there's more than one vehicle and more than two or three people are driving the same vehicle, who knows who was driving the vehicle a week ago or two weeks ago, as I commented to the member for Mississauga North. It's a grave problem. Is that really going to save lives?

I'm sure any of you who have been caught speeding—and I must confess I have. I've been caught speeding. I regret it, but I have. When a police officer in full uniform comes up to my car, boy, I'll tell you, I've been breaking the law and I know it, and he says a few words to me and I take note of that. I'll tell you, that has an effect on my driving, perhaps more so than the fine or the demerit points I may lose. Well, gone are those days.

And besides that, I know who my accuser is. All I know is that I'm going to get something in the mail; I'm going to get something that will be mailed to me. What defence do I have? What happens, as the member for Leeds-Grenville asked, if there's an exception? Police do overlook things; grave emergencies, for example. It may not be an adequate excuse, but for whatever reason, things can be explained. You really won't have that opportunity. Oh, yes, there's a process where you have to go to court to indicate you want the police officer to come, and then you have to go to court again to fight your case, to set a date for trial. There's a lot of administration the accused person is going to go through.

The whole personal contact issue is being left out of this legislation. It's very impersonal and very Orwellian. That word has been used. I'm not going to get into the issue of civil liberties, because that has been expressed by more than one person in this House and the point has been made. Taking pictures of innocent people for no reason whatsoever: There's something wrong about that. Yes, if you're committing a crime, then I have no

problem. But if most of the people in this province, aside from the article I just read from the Orangeville Banner, are driving safely, why should their photographs be taken?

Does this mean, for example, that there are going to be fewer police? I don't know who's fully responsible for this bill, whether it's the Minister of Transportation or the Attorney General. It makes me very suspicious in these difficult financial times we have that perhaps they'll say, "Well, we've got cameras out and they're going to catch all the speeders, so we don't need police officers." The problem with that is—

Mr Hope: Tell me how that applies to rural Ontario.

Mr Tilson: I'm simply saying that no matter what part of Ontario you are in, people are stopped for different reasons, for speeding. Invariably, if you're speeding, you've been doing something else. How many times does a police officer stop someone who's breaking another law, such as impaired driving? That person, who may be not capable of driving, for whatever reason—he may be impaired by drugs or alcohol—continues on down the road and commits another accident. They commit an accident down the road and all there is is something up behind that's taken a photo of him driving too fast. That's the purpose of safety. It's preventive; it's not to make money.

I know the argument has come forward from the government that, "Oh, we're not trying to make money; we're trying to improve safety." Well, show me. Why would you allow someone, an impaired driver who's speeding, to continue driving down the road? If we have these problems that have been reported in the Orangeville Citizen—and I'm sure this is just a typical example. This evidence happened to come out in a tragic coroner's inquest, but I'm sure there are other examples the police could come forward with at the public hearings I hope we're going to have. I mean, there are rumblings that we're not even going to have public hearings.

I'd like to hear more. I'd like to hear more statistics on safety from the professionals who know, from the police associations, from the Royal Canadian Mounted Police that the member for Leeds-Grenville has referred to, and from other people who support it. I'd like to hear more of that, because I would like to ask them many specific questions.

Some of the other things this bill does that I'd like to speak of are the unfair procedural problems that I believe are going to be created. It's my understanding that where a defendant intends to appear in court to challenge a photo-radar charge, he must indicate if he intends to challenge the evidence of the person operating the photo-radar equipment. If so, the operator will be notified by the clerk.

Will the average person know all this bureaucratic red tape? They're going to walk into a court facility where there are police officers in uniform. They won't know what in the world to do.

The procedure now is that they are confronted by a police officer when they are committing the offence of speeding, and invariably they realize that they've been

caught with their hands in the cookie jar and they're terrified of that police officer—and well they should be; they've done something wrong—particularly the remarks that are made by the police officers at the time of the offence. These officers are well trained and are able to influence people to perhaps slow down. So aside from the offence that's been committed, the police officer gives that person a lecture, and it has an effect on people. I defy anyone to say that's not the case.

1750

Another issue is that for photo-radar offences, the defendants will have to request the court to issue a summons to require the attendance of the officer who completed the certificate of offence at the trial. In the case of photo-radar offences, the function of that officer is to match the photo negative with the Ministry of Transportation vehicle ownership records. Since there's little additional evidence that may be provided, the justice will determine whether the officer will be summoned.

We seem to be getting away from fair justice. People can say, "Oh well, it's only speeding." Speeding, as has been quoted to me—interrupted particularly by the member for Downsview—causes accidents. It does. I agree with him. The difficulty that one has is that when you arrive at this court facility you may not agree that you were speeding; you may not know what in the world they're talking about. Everyone in your family, where there may be two or three motor vehicles, may deny that this happened. They may even deny they were there. They want to meet their accuser. The procedure that's being set out is making it more and more difficult for the individual, for the citizens of this province to meet their accuser.

I received a letter from the Association of Agents at Court, commenting on these two issues and I would like to read their concerns. I could try to summarize them, but they expressed the concerns, Mr Speaker, very well, if you would allow me to read a couple of paragraphs from this letter which I have just recently received. If we have public hearings, I'm sure groups such as this will come to the committee hearings and express their concern.

The Association of Agents at Court have two major areas of concern, from their correspondence at least, and both of those have to do with procedure that has developed as a result of this legislation.

"The amendments introduce an apparent disincentive program to those persons who wish to dispute their charge. The current system allows a defendant to mail in his request for a trial. This saves having to commute to the court that holds jurisdiction over the ticket. This reflects the informality of the Provincial Offences Act versus the serious stigma of a charge under the Criminal Code."

This is where they speak with respect to the new legislation:

"However, the amendments," mainly Bill 47, "would force the defendant to physically take the ticket to the court to request a trial. Once at the court, the individual would then be required to complete a form and decide whether he intends to challenge the evidence of the police

officer or whether to concede to having the ticket admitted into evidence without the police officer having to be present in court."

Is he going to know that? Is the accused person going to know what to do? Somehow I doubt it. Is the police officer going to tell him? The police officers, of course, are trying to get convictions; that's their role.

I have grave concerns as to the fairness for the innocent person, and there are always innocent persons in this process. Many of them are guilty, but there are innocent persons, and these people are going to be seriously prejudiced, because if he, and I'm speaking of the accused person, the alleged speeder, "does not indicate his intentions then the ticket would be all the evidence the crown needs to present. Now, while this may seem to be a keen money-saving idea, I do not think that John Q. Public would honestly be in the position of knowledgeably deciding whether his particular circumstances warrant the attendance of a police officer or not."

He's right. This person who wrote this letter, Gary Parker, the president of the Association of Agents at Court, is absolutely right. Will the average John Q. Public, to use his words, know? Will he be in a position of making this sort of decision?

I continue on with the letter, "Without starting from an informed position, the public will not be doing either themselves, the financially concerned government or our justice system any good." So that's the first issue that they raise.

The second issue that they raise: "Once the defendant has indicated his decision to have a trial by attending at the court, he or she will be required to reattend at the same court for a special 'first appearance court' where they will be once again interviewed regarding the correctness of their choice to fight the charge." All of this over a speeding ticket. We've now been back twice and we haven't even got to trial.

"They may be met by either an 'experienced police officer' or a clerk of the court who may then appraise the defendant's circumstances and then may offer to negotiate with the prosecutor, on the defendant's behalf, for some sort of plea bargaining."

This is the concerning issue that this group, the Association of Agents at Court, has with respect to the accused person. Their concerns on this issue are twofold.

"Firstly, most persons who are intending to dispute a ticket are present at the court with the express purpose of fighting a police officer's decision. Few persons would then put the fate of their charge in another police officer's hands."

Very true. Who's going to explain all this stuff to the accused person, the accused speeder? I doubt very much whether it's going to be the police when they in turn are trying to get a conviction.

"Secondly, speaking as a former police officer myself, I cannot envision any police officer acting within the best interests of the defendant. I honestly cannot foresee an officer telling a defendant that he has, for example, an obvious defect on the face of the ticket; therefore the defendant has an easy win. The most likely route would

be for the officer who even recognizes such a defect to hastily arrange a good 'deal' for the defendant to plead guilty to."

That's the sort of procedure this bill is creating for perhaps the innocent speeder, the person who feels that he or she was not speeding, that he or she wasn't even in the car, that anyone who had access to his or her vehicle—they simply will have no adequate way of defending themselves, so there is grave concern on that issue.

The member for Cochrane North in his remarks talked about the car rental business, and I'd like to briefly refer to that, although that's been referred to on several occasions. The member for Cochrane North said: "If you're renting a car, the car rental business will have your Chargex card and they'll just put it on, and they may bill you later but they'll just pay it. They won't be able to go through the process. Or they'll go after you."

First of all, since when is the car rental business going to be a collection agency for this government—a most strange procedure?

Mr Hope: They currently are.

Mr Tilson: Not in this particular process. Are you telling me that when someone rents a car—

Mr Hope: It's just like with parking tickets.

Mr Tilson: The member continues raising the issue of parking tickets. We're talking safety. We're talking lives in this province. I get back to your main premise of this bill, to create safety, and parking is a completely different issue and is inappropriate to be compared to this specific issue.

These individuals have expressed a concern. I'd like to briefly refer to that.

"The owner who is a victim of the offence that the driver has committed, if the vehicle is caught speeding, gets fined and the Ministry of Transportation will likely withhold the licence renewal privileges until those fines are paid. The owner is left to chase the driver"—the owner being the car rental person—"for those fines. Does this change to having the vehicle owner liable for speeding infractions mean that the police and government are losing their war against speeding? Does it mean that the Ontario government is more interested in revenues than deterring speeders?"

That's the point that we on this side are trying to express to you. You keep saying this is a matter of safety. How in the world is that a matter of safety? The fine is going to be paid by the car rental business. They have to do that to protect their interests. They'll charge the individual who was driving the vehicle. There will be no means of adequate defence. How in the world is that going to deter the speeder in the future, particularly when they'll have no adequate way of defending themselves? All of that expresses grave concerns.

There is an estimate that the photo-radar could generate \$40,000 or more per day per camera, or \$1 billion per year with only 69 units. That's a lot of money. That's an awful lot of money, and again it makes us more concerned. Is it going to be like the Liberal tire tax where they put a tax on tires? Is it going to be like that? I hope

not. Is all of this money going to go into saving the Treasurer's deficit from going up higher, or is it going to go towards improving the roads or improving the standards of safety in this province?

I, for one, as one member of this House, am very sceptical as to what you're going to do with that tremendous amount of money that's going to be generated from this bill. It's another tax. That's all it is. This is a revenue bill, and there's no way of getting around it. It's a way to raise funds in this province.

It's been suggested that there's the relationship with the police, and we are continually, on all sides, trying to talk about improving it, notwithstanding many of the policies of this government in the past number of years and the bad relationships that have been developed with this government and the police. But this technology, I believe, is going to set back an already terrible relationship between the police and the public and will simply reduce the police to cashiers, to collecting fines for speeders, when the real role of the police officer is to get out there and prevent speeders from breaking the law, prevent them from making other infractions, to stop people from creating other offences.

If you're speeding, you could be drinking, and all we're going to have is a photograph, a picture of a drunk driver going down the road. I shudder as to where that drunk driver is going to end up. That's all we're going to have: a photograph watching a car containing a drunk driver going down the road; rather a strange issue.

In the few moments remaining, I'd like to emphasize again the issue that I raised earlier with my response to one of the speakers. I believe that there are three major flaws in this legislation, and this has been referred to before. I'd like to conclude my remarks by referring to these positions with respect to photo-radar and what these flaws are.

The Acting Speaker: Can I remind the honourable

member that it is now very close to 6 of the clock. We have to report the coming events of the week of the 15th.

Mr Tilson: I would like to adjourn the debate.

BUSINESS OF THE HOUSE

The Acting Speaker (Mr Noble Villeneuve): Could the government House leader give us the schedule for the week of November 15?

Hon Brian A. Charlton (Government House Leader): Yes, I can. Pursuant to standing order 55, I would like to indicate the business of the House for the week of November 15.

On Monday, November 15, we will continue second reading of photo-radar, Bill 47.

On Tuesday, November 16, we hope to complete second reading of Bill 47, and following that we will continue our committee of the whole consideration of casinos, Bill 8.

On Wednesday, November 17, we hope to proceed with third reading consideration of casinos, Bill 8.

On Thursday, November 18, during the time reserved for private members' public business, we will consider ballot item 35, a resolution standing in the name of Mr Kwinter, and ballot item 36, second reading of Bill 2, standing in the name of Mr McLean. On Thursday afternoon, we will begin second reading consideration of the public services omnibus bill, Bill 117.

The Acting Speaker: As we adjourn the House for a week, I want to bid a fond farewell to our pages, who have served us so very well since the beginning of this session, wish them well in their studies, and may they all have a safe journey back to their ridings.

It now being 6 of the clock, this House stands adjourned until Monday, November 15, at 1:30 pm of the clock.

The House adjourned at 1804.

ERRATA

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79	3907	1	2-3	to one Mr Alphonse Fanelli without putting out a call for bids from other contractors. Mr Fanelli, for your informa-

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Lundi 15 novembre 1993



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
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Monday 15 November 1993

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

COURT FACILITY

Mr Robert V. Callahan (Brampton South): Mr Speaker, you may recall that a week or so ago I rose in this Legislature and indicated to you and the members of the Legislature that the matter of justice should not be a political issue; it should not even have the overtures or any semblance of being done for political reasons.

I have to stand here and decry the fact that Peel region, which is one of the largest and fastest-growing regions in North America, has been denied a courthouse facility which was originally announced by the Attorney General, Ian Scott, in 1987, was reaffirmed by the former Attorney General, Mr Hampton, in 1991 and was scheduled to start in 1992.

We're always grateful for any facilities in the justice system, but it seems to me that when I read in the press that the government has suddenly decided that because they were following an agenda that was set by the Liberal government they're going to change in midstream, I suggest to you that politics has no place in justice whatsoever.

In fact, one day we'll become enlightened enough here, I believe, to ensure that the Attorney General is not an elected member of the Legislature. He should not be participating in the political grovelling that goes on in this place in terms of deciding what will happen and when it will happen. It should be based upon the pure facts.

Askov started in Brampton because we have such a large number of cases. We have the airport to deal with and many, many problems coming from a rising population. I hope that the Attorney General will keep this in mind in her next announcement.

WCB PREMIUMS

Mr Bill Murdoch (Grey-Owen Sound): I would like to advise all members of the House and the Minister of Labour that I am in full agreement with the county of Grey, which has passed a resolution in opposition to the proposed WCB rate increases.

Homes for the aged schedule 1 employers cannot afford to stay in business if they are forced to pay \$2.15 per \$100 from the current payroll to the 1994 target of \$6.04 per \$100 payroll, a whopping increase of 181%.

Grey county council points out something that the government members have heard over and over again but still do not understand: There is no money. Homes for the aged are currently under a severe restraint program because of insufficient funding from the provincial government. This shortfall has been compounded by the imposition of the social contract and the expenditure control plan and by the limited capacity of municipalities to contribute because they themselves have been abandoned by the downloading on to them by this province.

I realize the WCB has some very grave financial prob-

lems, but it, just like this government, must look within itself to find the savings rather than relying yet again on the beleaguered taxpayer, who has no more to give.

I support Grey county and the Ontario Association of Non-Profit Homes and Services for Seniors in the crusade to fight this increase.

VOLUNTEER FIREFIGHTERS

Mr Gordon Mills (Durham East): It's my pleasure and honour today to rise to recognize two firefighters from my riding in Manvers township volunteer fire department: Russell Snuddon and Jason Srigley.

On the evening of April 24, 1993, these two volunteer firefighters arrived at the scene of a well-advanced house fire in Pontypool and were told that there were three people trapped inside. These two firefighters entered the burning house through the garage and braved the thick smoke and intense heat as they searched for the residents. After carrying out a thorough and systematic search that turned up nothing, they left the burning building confident that no one was inside.

Once outside, they were told that the family had gotten out safely and were at a neighbour's house. However, the firefighters weren't as lucky. Firefighter Srigley was treated for minor burns and released and firefighter Snuddon, whose face shield melted, spent some time in hospital with various degrees of burns to his face and to his body.

These two firefighters, who valiantly protected the lives of some of my constituents, will be honoured by His Honour the Lieutenant Governor on Wednesday at 6:30, when they will be awarded the firefighters' medal for bravery. I ask the House to join with me in saying well done and congratulations.

TVO FUND-RAISING

Ms Dianne Poole (Eglinton): Twice a year TVOntario holds a membership drive and a fund-raising drive. This support makes sure that TVO's superb educational programming will continue. Quality programs like Inside Ontario, Imprint, Between the Lines and Fourth Reading are only possible because of the ongoing financial support of viewers.

This year TVO's on-air membership campaign hopes to raise \$350,000 from 6,000 new members. This goal is a 15% increase over last year's goal and it's not easy in these tough financial economic times. TVO is well on its way to meeting this aggressive new goal, but it needs our help.

On Wednesday evening members of this Legislature will have an opportunity to participate in TVO's membership campaign. I urge each and every one of the members in this House to join me and appear on-air, taking pledges from TVO's viewers. Let's demonstrate that we support TVOntario, television that matters.

I also have the very great pleasure today of introducing Eglinton's MPP for a Day, our 15-year-old student Jen Lamont. Other than being shy, Jen is also a superb student and she answered the skill-testing MPP for a Day

contest question: "If you could make one change to Toronto, what would it be?" She's going to join us at Queen's Park. Hopefully, it will give her a zest for politics and one day she'll join us as the real MPP for Eglinton here in this House.

DIABETES

Mr David Tilson (Dufferin-Peel): Over 100,000 new cases of diabetes will be diagnosed across Canada this year, 100,000 cases of a disease that can lead to serious complications such as blindness, heart attack, stroke, kidney disease and amputation. The Ontario health care budget for diabetes and related complications amounts to 10% of its annual health budget.

The Canadian Diabetes Association marks the month of November to raise awareness for this disease that affects 1.5 million Canadians. All over the world people are trying to raise awareness for diabetes. In fact November 14 was World Diabetes Day.

The incidence of this disease rises every year. Insulin has allowed many diabetics to lead lives that are not that different from our own. Insulin, however, is not a cure. The Canadian Diabetes Association is working towards prevention and cure.

I would urge you to find out more about this disease, diabetes, and how it can affect your family and friends. How many Ontarians do not even realize that they have diabetes? The Orangeville diabetes association has directed its efforts towards letting people know the symptoms of diabetes for early diagnosis and treatment.

I ask that we all help to raise awareness of diabetes by participating in many of the events happening throughout Ontario and indeed the world. The celebrity challenge raises awareness by asking local celebrities and dignitaries to assume the life of a diabetic for a week.

The Orangeville diabetes association has had a terrific response to its challenge. One participant even named the stuffed bear she had to inject with insulin Hope, to mark many people's hope that a cure will be found soon.

1340

CONSTITUENCY OPEN HOUSE

Mr Mike Cooper (Kitchener-Wilmot): Last week I held a three-day open house in my constituency office and the response was very positive. My staff and I were available for constituents who chose to drop by for a visit to say hello or to have me address any questions or concerns.

It was a fair turnout of individuals, and after meeting with my constituents the consensus is that Bob Rae and our government are doing a good job. There's the feeling that we as a government have had to make some tough decisions. We have acted on these decisions and we shall continue to stand firmly behind these decisions. We have taken the right actions, given the fiscal situation of the province.

These actions are something that no other government has been willing to face or deal with. Government practice in the past has been to sit back and wait for a better day. This government refuses to do that. This government continues to work towards social and economic justice, and our commitment remains steadfast to all Ontarians.

We are investing in jobs that make sure that anyone who wants a job will get one. We are removing barriers which have traditionally prevented all people from being full participants in the workforce.

Through our programs and initiatives we continue to invest in our infrastructure, communities and small business. We are investing in our children's education to better prepare them for the challenges they will face in the future.

My constituents say these are the positive things we are doing for Ontario and the riding of Kitchener-Wilmot. Problems arise when there is a misunderstanding of our policies and initiatives, often created by media hype. Therefore, I will continue to keep my constituents informed through town hall meetings and open houses.

LANDFILL

Mr Charles Beer (York North): Last Friday was indeed a miserable day for the people of York region and particularly for those residents of King City and Maple. The futility of the farcical Interim Waste Authority process begun by this government was underlined by the theatre of the absurd atmosphere during the announcement of the preferred dump sites at the Abruzzi banquet hall in Vaughan.

Were Franz Kafka the Czech novelist alive today, this background would have been the perfect setting for one of his bizarre tales, and all of this at a cost of \$50 million. Yes, since the IWA started this process in June 1992, \$50 million has been wasted, and for what?

This government, through its flawed Bill 143, has stated time and time again, firstly, that York region must accept Metro Toronto's garbage, but it has never said why. Secondly, this government has argued repeatedly that only a gigantic dump can be the answer to the garbage needs of the greater Toronto area. This government continues to state that no other options are to be explored, let alone implemented.

The government's waste disposal policy is in total disarray. They are bound by ideological blinkers that have placed the residents of York region in a straitjacket, but those residents are fighting back and they will win. They will win because the decision that was made on Friday last is wrong and it will be shown to be wrong.

UNION REPRESENTATION

Mrs Dianne Cunningham (London North): The employees of Randall Klein Design Inc, a successful furniture manufacturing company in London, found themselves unionized, like it or not.

In February, employees signed union cards and told their employer they intended to hand in their cards for certification as the employer did not take their concerns seriously. An agreement was reached and, although they set aside their union cards, employees kept them to make sure the company held up its end of the deal.

In July one employee, with a few supporters, handed in the signed cards to the union without consulting his co-workers. The union applied for certification days before the cards would have been invalid under the Labour Relations Act. Under Bill 40, employees can only revoke their union membership before the application for

certification is filed. Because most employees didn't know their union cards had been handed in, they didn't revoke their membership and the union qualified for automatic certification.

The minister should know that a Progressive Conservative government would use common sense and integrity in labour relations in this regard. During the Bill 40 hearings, my caucus colleague Elizabeth Witmer introduced an amendment making a representation vote mandatory. On July 23, 1992, she again introduced a private member's bill that would require a mandatory secret ballot vote prior to certification.

Several months and several thousands of dollars later, the company is still attempting to decertify. There is a possibility that the company may close its doors if they cannot come to some sort of an agreement, needlessly putting 25 to 30 people out of work.

The small business task force of our party is currently travelling the province, and we will tomorrow visit Randall Klein Design. I'm sure they'll let us know how the NDP government is making it increasingly difficult for the public to do their work.

SNOWMOBILING

Mr Daniel Waters (Muskoka-Georgian Bay): I come here today to talk about one of the most important job creation programs in my riding. That job creation program is Sno-TRAC.

The snowmobile industry within my riding creates winter tourism. In the last week to two weeks I've been making several announcements in my riding to the tune of over \$600,000 to go into snowmobiling. These dollars go directly to the clubs. Those clubs are volunteers.

Our winter tourism, which is the biggest growth in tourism in my region at this point in time, is run off of the backs of volunteers. It's a wonderful program. Indeed, throughout the province last year over \$408 million was brought into the coffers from snowmobiling. There was an increase of 28% in the participation of snowmobiling, and all of this. The jobs created directly from the Sno-TRAC are just part of it. The biggest part of it is the jobs created within the tourism industry and how it makes my area of the province run throughout the winter, how it makes us viable in the winter.

I wish to thank not only my colleagues who made the funds available, but in particular those volunteers who make snowmobiling and winter tourism in my area of the province so important and so viable.

LEGISLATIVE PAGES

The Speaker (Hon David Warner): I invite all members to join me in welcoming the 12th group of pages to serve in the third session of the 35th Parliament: Malcolm Allan, Beaches-Woodbine; Charles Alexandre Arseneault, Markham; Tasha Balla-Boudreau, Renfrew North; Brant Robert Baum, Wellington; Jean-François Benoit, Cochrane South; Catherine Cabral, Mississauga East; Lyn Caruana, London South; Joseph Dickenson, Lambton; Pamela Heidi Douglas, Durham East; Dion Drewlo, Quinte; Christopher Gemmell, Brantford; Susan James, Simcoe Centre; Rachael Kay, Peterborough; Albert Lee, Brampton South; Sheila Mathies, Muskoka-

Georgian Bay; N. Gwendolyn May, Middlesex; Craig O'Neill, Algoma; Thomas Lloyd Parker, Northumberland; Tanya Sermer, York Centre; Kevin Thomson, Scarborough North; John Van Dyk, Fort William; Kristen Wever, Waterloo North; Patricia White, Welland-Thorold; and Nicole Will, York North. Please welcome our pages to our assembly.

Statements by ministers, and the Minister of Culture, Tourism and Recreation.

Mr James J. Bradley (St Catharines): I hope this is good news.

Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation): Oh, it is good news.

STATEMENTS BY THE MINISTRY AND RESPONSES

CORPS D'ÉLITE AWARDS

Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation): We have six special visitors in the Legislature today. Four of these individuals are the recipients of the Corps d'Élite Awards, this province's highest honour in recreation. Two are the daughters of one who is unable to be here in person with us today.

They are Harold McAdam of Heidelberg, Marguerite Rogers of Manotick, Ric Symmes of Terra Cotta, Bill Vass of Thunder Bay, and representing the fifth, Gordon Hutchinson of North York, are his two daughters, Marjorie Wetmore and Nancy Par.

In a few moments I will escort them to the Lieutenant Governor's suite, where they will receive their awards in a ceremony presided over by His Honour, Lieutenant Governor Henry Jackman.

The Corps d'Élite Awards honour outstanding recreation volunteers and professionals from across the province of Ontario. Each of these individuals has shown incredible leadership, creativity and commitment in helping Ontario's recreation system to better serve the needs of all of our citizens.

Volunteers serve a vital role in providing excellent recreational services—services from which we all benefit. Their contributions are essential, yet I wonder how many of us actually show our appreciation for the time, the energy and the dedication that volunteers give to our communities.

1350

We should also show our support for the many other volunteers who contribute in so many other ways to the quality of life here in Ontario.

Every year, our ministry, along with the Ministry of Citizenship, hosts the Ontario Sports Awards and the Volunteer Service Awards. It's our opportunity to say thank you once a year to the many volunteers who work to improve the sports, fitness and cultural opportunities throughout the province of Ontario.

Today we're here to honour five very distinguished individuals, and in recognizing them, we celebrate all of the recreational volunteers throughout Ontario. Their work enriches the lives of people of all ages and of all abilities throughout Ontario.

I wish to thank them as well as their families. The

families' contributions are also extremely meaningful. It's often through the various supports that the families provide that helps to enable the time commitments of their loved ones to be possible.

I would now ask that Gordon Hutchinson's daughters, along with Harold McAdam, Marguerite Rogers, Ric Symmes and Bill Vass, stand as one group together.

Thank you to each of you and thank you to all of those people whom you represent in our communities across this province.

EMPLOYMENT EQUITY

Hon Brian A. Charlton (Chair of the Management Board of Cabinet): I rise today to inform the House of some decisions I have taken as Chair of Management Board with regard to the government's goal of accomplishing employment equity in the Ontario public service.

Members will be aware that last week an advertisement appeared in the government's Job Mart listings announcing a vacancy at a senior managerial level in my ministry. The advertisement stated that only applications from members of groups designated under employment equity—namely, women, visible minorities, francophones, persons with disabilities and aboriginals—would be considered. This is what is called a limited eligibility competition.

This measure was introduced for no other purpose than to further the goals of employment equity. However, it is clear that it has sparked genuine and widespread concern, both among designated groups and among the population at large.

As Chair of Management Board, I am therefore suspending this advertisement and launching a review of the application of this measure. I am taking these steps because I cannot allow one measure to endanger an entire program.

The people of this province know that aboriginals, people with disabilities, women and visible minorities experience higher rates of unemployment than other people in Ontario. The people of this province know that members of these groups experience more discrimination than other people in finding jobs and in being promoted. As a result, they're underrepresented in certain areas of employment, especially senior and management jobs, and they are overrepresented in areas that provide low pay and little chance for advancement.

Employment equity is about making the most of our workforce; nothing more, nothing less. It is about taking advantage of the skills and capabilities of all our people rather than overlooking the talents of some. Employment equity, whether in the Ontario public service or elsewhere, is a goal we all must support and a goal for which we all must strive.

Ontario cannot afford to continue to waste the talents and the abilities of its people. For this reason, Management Board has developed a wide range of positive measures. These measures are aimed at helping both our managers and our employees understand and benefit from employment equity. They include coaching, training and developing employees' skills and increasing their opportunities for learning. They include efforts to increase

access for persons with disabilities, and mentoring, where senior employees provide support and guidance to designated group members.

Let me assure my colleagues that until I'm satisfied that this measure will not have an effect opposite to its intention, until I'm satisfied that this measure will not discourage members of designated groups from putting themselves forward, until I'm satisfied that this measure will not jeopardize the goals of employment equity, limited eligibility will not be used.

Reaching agreement on the best ways to achieve employment equity isn't easy, a fact with which I'm certain all members of the House can agree. The government's employment equity legislation now being shepherded through committee by my colleague the Minister of Citizenship has been a testimony to her ability to consult and to listen. I trust that all members of the House will continue to support the goals of employment equity, both in the public service and in the private sector.

Mr Alvin Curling (Scarborough North): This minister came into the House today and said he has withdrawn this awful policy that he put in place. This minister does not understand employment equity. The Minister of Citizenship—I have a lot of faith in her and I think she has been completely misguided about employment equity. This government does not understand employment equity. They have played political football with one of the most important pieces of legislation in this House. Fifty per cent of the clauses in Bill 79 were withdrawn because they were not ready. My feeling is that it's no surprise that the minister came in today and said, "I withdraw this part of the policy" and then says that somehow he's still convinced he was going in the right direction.

I am very, very disappointed. It took them three years to come up with an employment equity plan and now they have screwed it up so badly that today they have put a worse twist on this employment equity situation.

Employment equity is about access. It asks you not to patronize the designated groups who have been violated for years in the workforce. They have qualifications and they have merit towards what they can do, and you continue to patronize them in every way that you can. We are legislators and we must bring legislation in place that is fair to protect those who are vulnerable in our society. Those people we are talking about, as I said, are very qualified. It reminds me very much of what Jackie Robinson asked for: "I'm not asking for any slow-pitch; I just want to participate so I can hit the home runs."

All that the designated groups who are qualified are asking you very emphatically is to identify those barriers, to remove those barriers and let us participate in the place because we have merit. You have constantly and consistently done a terrible job with employment equity. It has been one of the greatest blows towards this legislation.

I hope today when it comes back into the House from the justice committee, after they have withdrawn the clause-by-clause because it's so badly done, you come back with a much more informed version of it and that we can bring equity into the workplace.

I want to say also that if they feel employment equity is just about the workplace and just about botched-up policy like what this government and these ministers have done, they have something else coming. There are other things.

Mr Drummond White (Durham Centre): Say something.

Mr Curling: Of course, the member there who is saying "Say something," he himself doesn't even understand what employment equity is about. They're asking for fair treatment, they're asking for access, removing barriers, and let them perform in the way they can because they have merit. I am very happy in only one aspect of it: that you have found guts enough to withdraw this very ill-formed policy.

Mr Murray J. Elston (Bruce): On behalf of our caucus, while we join in celebrating the awards given to the various recipients today—I see they have now departed for the Lieutenant Governor's suite—

Interjection.

The Speaker (Hon David Warner): Because of the nature of the intervention I would ask to stop the clock. There was a point of privilege raised. It should not interfere with the member's response time but I take it to be serious.

1400

Mr Gary Malkowski (York East): On a point of privilege, Mr Speaker: The comments made by the member for Scarborough North—I would challenge you, sir, to cooperate and do your best to improve employment equity. Your cooperation—

The Speaker: No, the member does not have a point of privilege. The honourable member for Bruce.

CORPS D'ÉLITE AWARDS

Mr Murray J. Elston (Bruce): I was making some remarks and congratulating the people who are receiving the awards of Corps d'Élite. It's a very important milestone to have recognition for people who have endeavoured to work very hard on behalf of various communities around the province.

While we stand and congratulate those award recipients, we bring to the attention of the government that in recreational departments right around this province today, there are people who are losing their positions. In fact, I know of one particular position which has been totally terminated as a result of the social contract and the implications of the funding cutbacks brought forward by this government.

The creative thinking that this government promised this province has totally evaporated. They have left us without any hope. They have left us without jobs. They have left us without any feeling that they care about real people in this province. We condemn the government for abandoning the people of this province and we will not stand for it. We are going to bring it back to the people of Ontario.

EMPLOYMENT EQUITY

Mr Gerry Phillips (Scarborough-Agincourt): I thought the Chairman of Management Board was going

to talk about the second-quarter financial results, where we see that the capital budget now has been slashed by another \$300 million; 10% of the capital budget gone when the Premier's out talking about capital jobs. We see revenue dropping dramatically. The Premier has taken taxes up \$3.5 billion and tax revenue has actually dropped now by \$2.5 billion. What is going on over there?

Mr Michael D. Harris (Nipissing): I want to respond to the statement made by the Chairman of Management Board today.

What is employment equity? This is a question many people in this province are asking. It's about fairness. It's about equal opportunity. The minister said in his statement today that, "Ontario cannot afford...to waste the talents and abilities of its people." We agree, and that's why we believe the government's policy to restrict job openings is wrong.

I'm interested in the statement made by the minister today, as we all try to come to grips with correcting a problem that we have in our society and in our workforce. The minister says, "Employment equity is about making the most of our workforce—nothing more, nothing less."

What concerns me about this statement is that it comes from the point of view of the employer. I think employment equity is about allowing individuals to make the most of themselves. I think employment equity is ensuring equal opportunity for every Ontarian.

We've had problems, as all countries have, with discrimination in the past, either intentional or otherwise. We've had difficulty, as we know, in ensuring that the target groups that have been identified by the minister in their policies and legislation: aboriginals, people with disabilities, women and visible minorities—they have not, for whatever reasons, through barriers that we think need to be addressed, been able to have equal opportunities themselves.

It is, I believe, this attitude that it is nothing more, nothing less than making the most of our workforce, with a sense that this seems to come about by taking advantage of the skills and capabilities of all our people—I understand that and I think that's important for public sector and private sector employers, and we agree. But it is about far more than that. Don't say "nothing more, nothing less." It is about far more than that. It is about individual people. It is about removing the barriers so they can have equal opportunity. It is also making sure that all Ontarians will have equal opportunity—all Ontarians.

It is this attitude, and I've tried to get behind it, that would prompt the government to come in with this policy, reflected in the advertising, that is reverse discrimination, pure and simple, that excludes some people from this day forward, not only for that job but for other jobs.

I am most concerned as well with the statement today saying, "We're going to pull the ad." Let's pull the policy. Let's once and for all come up front and say, "This policy was a mistake; it was wrong."

We have raised these issues before. The member for Etobicoke West a month ago tomorrow raised this in the Legislature, and he was told in response and the minister said, "Oh, the member can't read." That's what he said when it was brought to his attention that this policy was reverse discrimination, that it was wrong. Well, we all read the ad and it was exactly as the member for Etobicoke West said would happen if you followed this policy, this direction; exactly that.

This isn't something that I think should even be partisan. I think we all agree there are problems and we want to deal with those, but Bill 79, which you now want to foist on to the private sector, is full of this exact policy that you now say is under review. It is exactly on that legislation and that side of the legislation and that policy, of limited eligibility, that we have been telling you we cannot proceed this way, that it is wrong, that it is reverse discrimination and that it is creating a huge backlash in this province that is preventing us from getting to implement the real solutions, some of which I know the government and we agree on. So I think, Mr Speaker, through you to the minister, you better rethink this policy, not just withdraw the ad.

MEDIA BRIEFING

Mr W. Donald Cousens (Markham): On a point of privilege, Mr Speaker: I rise under standing order 21 to protest the violation of my rights as an opposition member of the Ontario Legislature. As an elected member of this House, it is my responsibility to represent my constituents and to be present when there is government information being tabled that may affect them. This right was violated on Friday last.

The government held a closed-door session in which it discussed the dump sites in York, Durham and Peel. Only the media was allowed into the room. The public that was concerned with this and their elected representatives, including myself, the member for York Centre and the member for York North, were barred entry to this room, which was a media conference only. This is not democracy.

I have to raise to you, Mr Speaker, the very serious concern of who is to speak for the people of Ontario unless members are present at such a meeting and given the opportunity to know what is being said. It raises great questions as to the fundamental question: What is the big secret? What is the big secret that would cause the Interim Waste Authority to give a private session to the media and not to elected members and the public at large?

This raises a fundamental issue of respect; respect for all people, respect for the office of MPPs, respect for the system and the process that should be followed. It made a sham of the whole thing.

The IWA has already bought the silence of many people who are living in areas that were being considered for the dump sites. People were waiting for an answer and have been waiting for months. This government failed to show fundamental courtesy and therefore failed to allow me to have my rights as a sitting member to be briefed at the same time as the media and anyone else was. I ask you to consider this very seriously.

Mr Gregory S. Sorbara (York Centre): On the same point of privilege, Mr Speaker: There were five MPPs who attempted to participate in the briefing on a very serious and controversial issue; that is, the disclosure of so-called preferred sites for landfill in the greater Toronto area.

I can confirm what my friend the member for Markham says. I can tell you, sir, as you consider this matter, and I hope you give it due consideration, that in my eight-and-a-half years, some nine years here at Queen's Park, there has been a tradition of so-called press lockups, and in every single instance where there is a press lockup, MPPs or their staff members have been given access so that information will go to members of this Legislature so that they can comment to their constituents at the same time it is given to the media.

This is the first occasion where we were physically prohibited from entering the room where the information was being disclosed to members of the press. We have no idea whether or not the information given to the press at the lockup is the same information given to the people and their representatives at the subsequent so-called press conference. The only way we are able to report to our constituents is if we are not prohibited from participating and having full information so we can debate fully those subjects in this Legislature and represent our constituents appropriately.

I would support the point of privilege on behalf of my friend from Markham and the other three MPPs who were present and tried to get access to that information session.

1410

Mr Charles Beer (York North): I would like to rise in support of the point of privilege raised by the member for Markham and to support both his comments and those of my colleague from York Centre. I think, as has been stated but needs to be underlined, that in most instances where there is a lockup, members may attend that lockup, and on behalf of their constituents hear what information is being passed on. We went to that press conference, we presented ourselves at the door and we were told that we were not welcome; this when there were a good number, probably in the hundreds, of the media who were in attendance.

I think that when government policy is being set out, as it was in this case, away from these precincts, we need to be very clear on the procedures that are followed, and fundamental to that should be that an elected member representing his or her constituents should be allowed in that meeting. Quite frankly, there was no need to have a closed meeting. It should have been open from the beginning. I think the point of privilege is one that we would ask you to take very seriously.

Mr Murray J. Elston (Bruce): In relation to this issue, there may be some view taken, as a result of there only being opposition politicians standing, that somehow or other all of the members' privileges have not been breached. It has been my information, further to the point of privilege, that some members of this House were informed prior to the announcement having been made and that in fact their having been advised meant that their

attendance was not necessary. It seems to me that the devolution of this information to some members of the House without going to all members of the House is a very bad breach of privilege. In fact, it is the second such case that we have been made aware of in the last two weeks.

If I might, I will just advise again of the fact that some members of the government caucus are to sit on a committee that doles out capital funding for projects around the province. None of the opposition people have been made available to sit on that, because the Premier and his cabinet are going to decide with some of the backbench government who gets the money. It seems to me, that being the case, and now having had opposition politicians refused access, that indeed privileges have not only been seen to have been breached but in fact have been breached.

Mr Robert V. Callahan (Brampton South): In addition to that, the mayor of my municipality was actually denied access, and I think that looks very bad. He was thrown out. There's a picture in my press of two police officers throwing him out of the meeting. I think that's absolutely unacceptable, that this would be done to any elected representative in this country where we consider it to be a democratic society.

Mr David Tilson (Dufferin-Peel): Very briefly, I will say that as the Environment critic for the Progressive Conservative Party, I was invited to this press conference. However, when I arrived one conference had already occurred. The hearing had already taken place with respect to the press. We were barred the right to go in and hear what was being said by Mr McIntyre and others as to what was going on. We were prevented from going into that place. I suppose the member for Markham is quite right with respect to his privileges, but the ironic part is that I, as the Environment critic, was precluded from going into that room.

The Speaker (Hon David Warner): To all of those members who have raised concerns with respect to an alleged point of privilege, and given the nature of the concerns which have been brought to my attention, I am pleased to take a look at it and to report back to the House later. I do take the matters which have been mentioned very seriously. If there are details which you have not been able to bring to my attention at this moment, I would be most pleased to receive those in writing in the next day or two, if that would assist me in deliberating on this particular point.

ORAL QUESTIONS

LANDFILL

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Premier. I want to take you back to the period of time prior to our most immediate concerns with Friday's announcement. I want to take you back to what you told the people of Whitevale during the last election.

You led people to believe that your government would never put a dump on the farm land in Whitevale. You issued a news release on October 7, 1990. Since you are shaking your head, I quote from that news release: "The

New Democrats say that we've got to get tough on protecting irreplaceable farm land."

Why did you tell the people of Whitevale during the last provincial election that the NDP would not put a dump on the farm land in that community?

Hon Bob Rae (Premier): In the absence of the Minister of Environment and Energy, I'm going to ask the minister responsible for the GTA to answer that question.

Hon Ed Philip (Minister of Municipal Affairs): My recollection of what the Premier said was that—

Interjections.

The Speaker (Hon David Warner): Order.

Hon Mr Philip: What the Premier did say in fact was that there would be a full environmental assessment, that there would be a fair process set up to choose the sites that are needed.

In fact, if you look at the process that was set up under the IWA, you had a system of looking for sites that had to be found that was based on scientific, on environmental reasons. In fact, that's the process that the IWA went through. If the honourable member is saying that she has a different way, then perhaps she'd share it with us.

Mrs McLeod: We really did not want or need the minister's selective recollections of what the Premier said, and that's why we asked the Premier to tell us why he betrayed the people of the Whitevale community on Friday.

I really do wonder how long the Premier can continue to avoid responsibility for the most damaging policies of his government. Surely he realizes that government has to be a little bit more than going around and making funding announcements during the course of the week.

I will continue to place my question, whomever the Premier would like to have respond on his behalf, to the person who should accept responsibility for the announcements that were made on Friday.

I say to this Premier, it is your government's policies that were at issue on Friday and it is your government's policies that are the reason that so many people in Durham and Peel and York regions are upset about a flawed garbage policy.

1420

It is your policy that York region has to take all of Metro's garbage, it is your policy that led to Friday's announcement that York region is now slated to have the largest dump site in this country, it is your policy that has ruled out all other alternatives and it's your policy that in fact has made a full environmental assessment impossible. I ask you how you can defend your policies and this completely mismanaged process to the residents of Durham and York and Peel.

Hon Mr Philip: Coming from the Leader of the Opposition, who wasn't going to have any environmental assessments at all, I don't think we need that kind of lecture.

The process of 12 different criteria that the IWA used is to look into all aspects—

Interjections.

The Speaker: Will the minister take his seat, please. Order. Minister?

Hon Mr Philip: The IWA used 12 different criteria to look into all aspects of the environment: social, scientific and economic. It used scientific criteria.

The three sites will now be open to a full, joint Ontario Municipal Board environmental assessment hearing in which this government, or indeed the IWA, has provided intervenor funding. There is more participation in this process, more scientific and open consultation, than any process that was ever devised.

As for the particular Pickering site, it's eight kilometres from Whitevale, so the leader of the official opposition had better check her geography.

Mrs McLeod: I don't know who wrote the minister's answers for him, but clearly whoever did did not understand what was happening in 1990, and the minister does not understand what is happening today.

Let me help your recollections of the process. The Interim Waste Authority has already spent over \$50 million finding sites that everybody opposes except the members of your own cabinet. The Bill 143 process has clearly been flawed from the beginning.

It is time to scrap the Interim Waste Authority; it is time to scrap Bill 143, because no one can accept the decisions that have been made under this completely flawed and mismanaged process. Minister, your government has to bring regional governments back into planning for their local waste management needs and that you must allow all the alternatives to be considered.

I ask you, as the minister responsible for the greater Toronto area, will you demand of your Premier that he stop this flawed process right now, that you not put millions of dollars more into a process that is clearly a sham? I ask you to ask your Premier whether the people of Peel and Durham and York regions will have to wait for the next election before the Premier gets the message.

Hon Mr Philip: The MPP for York North was quoted on the weekend as saying that if he formed the government or if the official opposition formed the government, there would be no dump site anywhere within any kind of distance of his riding.

Mr Chris Stockwell (Etobicoke West): Oh, man, I remember somebody else saying that, Ed. The guy in front of you said that.

The Speaker: Order. The member for Etobicoke West is out of order.

Hon Mr Philip: This government is not prepared to follow that kind of direction. We have set in place an independent, scientific system that would come out with the most environmentally sensitive sites. That is what has happened, that is what we had funded, and I ask the leader of the official opposition to come clean and to tell us what she would really do if she were the government.

Mrs McLeod: When we have an opportunity to accept the responsibility of government, we will accept the full responsibility for what we commit to and how we follow through.

EMPLOYMENT EQUITY

Mrs Lyn McLeod (Leader of the Opposition): My second question will be to the Chairman of Management Board. Minister, we take only some measure of relief from the fact that you have withdrawn that totally offensive advertisement that appeared last week. We take only some measure of relief because we recall that on October 14, you assured the members of this House that your government would not restrict jobs in the public service to members of designated groups. But you went ahead and you advertised a senior position and clearly the applications were restricted to members of designated groups.

Last week you were prepared to defend that advertisement and that approach, so I ask you today: Will you give us an absolute assurance that it is not now, and will never be, the policy of your government to restrict eligibility for positions?

Hon Brian A. Charlton (Chair of the Management Board of Cabinet): I think my statement this afternoon was a fairly clear statement. The statement I made this afternoon very clearly said that the advertisement that the Leader of the Opposition refers to will be suspended and that the policy in question will be reviewed.

Interjections.

The Speaker (Hon David Warner): Order. Will the minister take his seat, please.

Mr Steven W. Mahoney (Mississauga West): You're having a good day, Mr Speaker.

The Speaker: Wonderful day. Minister?

Hon Mr Charlton: The issues around employment equity are very complex issues. The issues around how you accomplish equality, a level playing field for the designated groups in the OPS—and, for that matter, in the broader workforce across this province—are also very complex.

We have said we're going to review the policy. I have not at this point rejected that policy. The reality is that although the goals of employment equity are our goals and we want to find ways to accomplish them, I'm prepared to review the policy based on a number of issues that have been raised over the course of the last week. But at the end of the day, the unlevel playing field which has existed for the qualified employees in the feeder groups for the specific position that was advertised last week, against whom discrimination has gone on and is ongoing, has to be resolved.

Mrs McLeod: The central issue of whether members of these designated groups are underrepresented in so many fields is not the issue that's in question. All we have to do is look around this very Legislature and see the number of women, see the number of visible minorities, see the number of people with physical handicaps, to know that members of designated groups are not fully represented even in this place where we carry out our work. We would all agree that progress has been very slow indeed.

But the minister's statement today and his answer just given to me do not give us any assurance that he understands that limiting access, limiting eligibility, is not the

way that you ensure equity. I say in all seriousness to this minister and to his government that employment equity has to be about removing barriers, not putting new ones in place.

As the minister says he is reviewing the role of limited accessibility, I ask him today whether he does not understand that employment equity that is based on quotas and new restrictions to access is not real equity at all. Does he understand that the goal of employment equity is to create a truly equal and open playing field for everyone?

Hon Mr Charlton: It is obviously our goal to end up with a completely open and equal playing field for everyone.

In her question, in her critic's response to my statement this afternoon and in the leader of the third party's response to my statement earlier, I heard repeatedly the rhetoric of "removing barriers." In this review I am prepared to hear from the opposition, as well as the designated groups and others, about how it is that we're going to remove those persistent barriers that the employment equity program that was implemented by the former Liberal government has failed to address, because those barriers are still there, and what it is we have to do to do what they keep saying we need to do, which is to remove the barriers. That's partly what the review is about.

It may be true that we picked the wrong technique; we'll find that out in the review. But the opposition is standing up here in the House and suggesting that we need to remove barriers without putting forward a single suggestion about how we proceed to do that.

1430

Mrs McLeod: When the whole focus of a sound employment equity policy is on removing barriers, how can this minister stand up and say we have no suggestions to make when he dismisses the removal of barriers as simply being rhetoric? That is what employment equity is all about; it is about removing barriers. It is about dealing with the very real barriers to access; it is not about quotas.

I become tremendously concerned, as somebody committed to the goals of employment equity, when the government confuses equal access with guaranteed access. I believe, and I will reiterate, that the goal of employment equity is to make sure that every individual is given a fair and equal opportunity to participate. I don't believe that people in designated groups are looking for guaranteed access. They're looking for fair and equal opportunity and they're looking for open access. Restricting eligibility is clearly the reverse of equal opportunity and you should not be reviewing it.

Minister, I ask you if you will commit today to an employment equity program that is fair and responsible, that is not based on quotas or on new forms of discrimination. If you will make that commitment, will you assure us of your support for the amendments that we've brought forward to the employment equity legislation that would ensure that there are no quotas and that the merit principle is assured by the legislation itself?

Hon Mr Charlton: Firstly, the employment equity

legislation the Leader of the Opposition refers to is not my responsibility; it's the responsibility of my colleague the Minister of Citizenship. The policy my statement of earlier today refers to is an internal government policy that happens to have occurred in advance of that employment equity legislation.

No one could agree more strongly with the Leader of the Opposition that the goal at the end of the day in terms of employment equity is a completely level, equal, truly accessible playing field for all. That's our goal. That's what the review of this policy is about. But the removal of barriers—because that is what employment equity is all about—is not just a turn of phrase. It requires some tools that didn't exist in the previous government's programs if we want to accomplish the removal of those barriers.

The Speaker: New question, the leader of the third party.

Mr Michael D. Harris (Nipissing): My question is to the Premier. It's to you, Premier, because it deals with the overall government policy which the Chair of Management Board is empowered to carry out at one end, and another minister responsible for Bill 79.

Quite frankly I'm concerned with the statement today by the Chair of Management Board who, in implementing, seems to be looking at this not from the view of individuals but from the view of mechanics, a piece of legislation, a football field. Let's make sure we fill it up and count each person as it goes. Oh, there's the football field we want. It's all in balance and in harmony.

I'm also concerned with not dealing with individuals and access to equal opportunity. When you get caught up in the mechanics, you tend to call people feeder groups. I suppose a bureaucrat dealing with the logistics of putting into legislation something you want to do may use the words "feeder groups," but not somebody who is concerned about ensuring equal access and correcting past inequities.

Premier, I therefore ask you this. Your minister today did not apologize. I thought he might even apologize to the member for Etobicoke West for saying, "You can't even read," when this was brought to his attention a month ago. He did not apologize for the policy or for the ad. The minister did not even seem to realize that it was wrong, didn't seem to acknowledge that it was in fact discrimination, the ad and the policy itself, and all we heard today was that he was going to pull the ad.

I would ask you, Premier, would you not agree today that we should pull the entire policy, not just from this minister but from the legislation, from the ministers of your government, and that you as Premier ought to be the one to pull the policy? Will you do that today?

Hon Bob Rae (Premier): I want to make it clear to the honourable member that the statement that was made today by the minister is a statement that has my full support. I think we all have to recognize, and have to recognize particularly in light of the reaction to the ad as well as to the representation of the ad, and I would even say in some circumstances the misrepresentation of the ad, but I'll leave that as it may, in this business that

we're in, perception is everything in terms of the perception.

I'll say to the honourable member precisely what I said to my colleagues in caucus at lunchtime today, and that is that we cannot persuade the public of the overall goal of employment equity if the feeling on the part of a large section of the public is that it is exclusive of them.

If the member knows anything about me at all he will understand that I felt, and feel very strongly, that an ad which says that someone can't even apply is wrong. That's wrong and we should not hesitate to say that on the basis of the experience and on the basis of the very clear message that we're getting from the people of the province.

I happen to think that if we're serious about achieving the objective of employment equity and we're serious about achieving success with Bill 79, which has my full support and has for years—

The Speaker: Would the Premier conclude his response, please.

Hon Mr Rae: —and the support of the Minister of Citizenship, we'd better be very clear with the public right now that an advertisement within the Ontario government that says any individual cannot apply who otherwise qualifies in terms of the collective agreement and all the other provisions of the law, if we do that, then we're making a mistake and therefore we have to make it very clear that that will not happen again and that indeed the policy that led to that advertisement needs to be reviewed.

We all agree with the objective. I think we have to look hard at the mechanisms, the means that have been chosen. So I say to the honourable member I am not prepared, as Premier, to say to anyone in this province—

The Speaker: The question has been answered. Will the Premier please take his seat. Supplementary.

Mr Harris: The Premier says, "The members know me," and I do know some of the Premier, although I'm surprised from time to time. It's times when I thought I knew him I get many surprises.

The Premier seems to be saying to me today by way of response that the ad is being pulled solely because it's causing a reaction that he doesn't want. The Premier suggests that the answer does not lie in fighting injustice with more injustice. In the words of historian Michael Bliss, "The government says it is trying to stop racism and sexism, but I think they are raising the awareness of race and sex almost to a fever pitch."

Fever pitch comes into play when one thinks that a policy is very, very wrong, that it is in fact discriminatory. You've said that you wanted the ad pulled. The ad was simply a reflection of implementing a policy. All the ad did was say: "Here's a policy. It's exclusionary, it is discriminatory, we are going to go ahead with this policy and the way we will do it is by having this policy in place." The ad simply reflects that.

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I would ask you this, Premier: Will you, in light of that, pull the policy entirely that is seen as discriminatory, because it is discriminatory? Will you pull the policy?

Hon Mr Rae: Any policy which prevents someone from applying for civil service competition, prevents someone from applying altogether for a job, a policy which leads to that, that policy needs to be reviewed and changed. That's what we're saying. That's what I'm saying very clearly, and I don't think there should be any question about that.

The purpose of employment equity is to be anti-discriminatory, it's to be inclusive; it's not to be exclusive and it's not to be discriminatory. So anything which gives rise to the perception that people are being excluded needs to be changed. That's what the minister said today; that's what I'm saying today.

Mr Harris: Premier, it is not just a perception. The ad in fact was a carrying out of a policy. If I read correctly what you said today, that you are going to pull that policy—I thought I got that 99%. Perhaps it's a week-long process to get there. As long as we get there, I suppose that's the important thing.

Let me ask you then about Bill 79. Today, in response to my question, you said: "I support Bill 79. I hope Bill 79 proceeds." Bill 79 has aspects to it exactly the same as the policy that this ad reflected. Will you then, if you're interested in Bill 79, agree to pull those sections?

Secondly, Bill 79—let me give you a second example—says that a person who is barred from taking a job as a result of the imposed quotas or targets, call them what you will, cannot appeal to the Human Rights Commission.

Premier, I want you to think about this. This Bill 79, confirmed by an amendment brought in in response to some of the groups—the amendment clarifies it—says you take away a person's right to appeal to the Human Rights Commission if they feel they are being discriminated against. I suggest being barred from competing for a job is discrimination. That not only violates the spirit of the Human Rights Code itself, but it is clearly itself a case of discrimination. Will you as well, in Bill 79, get rid of this discriminatory provision in your employment equity legislation?

Hon Mr Rae: The honourable member didn't do me the courtesy of sending me the section of the act which he's referring to.

Mr Harris: Well, it's your bill and your amendment.

Hon Mr Rae: No, no. If you have a section which you believe leads to certain conclusions—

Mr Harris: You brought an amendment in to clarify that that's the conclusion.

Hon Mr Rae: The honourable member gets up and talks about a fever pitch and then he draws a wide swath right through a piece of legislation and doesn't even refer to what clause.

Mr Harris: Are you saying I can't read just like the member for Etobicoke West can't read?

Hon Mr Rae: No. I'm saying to the honourable member that I'm not sure I share his view or characterization of the impact of Bill 79. I'll put it in as neutral language as I possibly can. Obviously, any suggestions he has to make with respect to the bill will

be looked at seriously in committee by the minister and by others, but the suggestion he's making that Bill 79 contains measures which would exclude people from applying for jobs or prevent people from applying for jobs is not correct.

Mr Harris: I'm disappointed that the Premier believes in Bill 79, supports the legislation and he doesn't even know what's in it.

LANDFILL

Mr Michael D. Harris (Nipissing): My second question is to the Premier as well. In the gallery today are Allen and Miriam Jefferson. They are in the gallery and I would ask them to stand up.

The Jefferson family have lived on their 100-acre dairy farm since 1953. They are proud of their 40-year record in the community of Caledon. In fact they are proud of their family's farming history in the Peel region since 1845. Unfortunately, Premier, that history may very well come to an end as a result of your proposal to dump garbage on their property.

Premier, in your Agenda for People, not the minister's Agenda for People, your Agenda for People that you campaigned on, that you personally took to the people and you sold, you said you would prevent the conversion of class 1, class 2 and class 3 farm land to non-farm uses. I wonder if you then, Premier, in light of that commitment, would tell Allen and Miriam and their two children what happened to that promise with their class 1 farm land. Could you explain that, Premier?

Hon Bob Rae (Premier): Again, I'm going to let the minister for the GTA answer these questions.

Hon Ed Philip (Minister of Municipal Affairs): The IWA, in designing its site selection process, placed great emphasis on protecting the best of agricultural land. Indeed, in the early steps of the process, it excluded—

Mr Gregory S. Sorbara (York Centre): But there is a surplus of milk, so you can take their farm.

The Speaker (Hon David Warner): Order. The member for York Centre, please come to order.

Mr Sorbara: He's not coming anywhere near the question that was asked.

Mr Charles Harnick (Willowdale): The question was about the Agenda for People. Remember that? That's the pack of baloney you sold when you got elected. Are you afraid to acknowledge it now?

The Speaker: The member for Willowdale, please come to order.

Hon Mr Philip: In the early stages of the process, the IWA excluded classes 1 to 3 agricultural land, with the exception of those that were in the urban shadow. This is a common practice that is used in various types of development. Indeed, we and the various tribunals recognize that urban pressures continue. The long-term use of urban shadow lands places certain types of agricultural land in doubt. I can tell you that the process was fair, it was open, it was scientific, and decisions have been made on three particular sites.

As someone who in 1975 was an employee of the Ontario Federation of Agriculture when the Conservatives

were in power, I can empathize that wherever possible, no farm land should in any way be destroyed for any purpose, be it urban sprawl or development or any of the other problems that come with urban living. Therefore, I can certainly empathize with the situation that the particular farm family finds itself in. The fact is that the process for the first time—

The Speaker: Could the minister conclude his response, please.

Hon Mr Philip: —was open, was transparent and that funding is available for the first time. Intervenor funding is available—

The Speaker: Could the minister please conclude his response.

Hon Mr Philip: —so that the Jeffersons or any other family can make their concerns known, can find the facts and in fact present them to the joint tribunal of the Environmental Assessment Board—

The Speaker: Could the minister please take his seat. The question's been answered.

Supplementary, the member for Dufferin-Peel.

Mr David Tilson (Dufferin-Peel): I've never heard such gobbledegook in my life. The fact of the matter is you're building three superdumps on farm lands, and urban shadow or nothing, that's what you're doing.

Your government has certainly gained a reputation for silencing its critics in a whole slew of areas. One of the areas most recently is with respect to the proposed amendments under Bill 8, the minister behind you and the gambling casino bill, where the rights of the people of Ontario who will be objecting to casino sites are being roughshod over by your legislation to preclude them the right to an adequate hearing, which they now have.

Similarly, there are now rumours today that with respect to this IWA process, the combined OMB and Environmental Assessment Board hearings, you're going to have these so-called environmental assessments last for as little as six months.

Mr Chris Stockwell (Etobicoke West): No.

Mr Tilson: Well, those are the rumours that are flying around. I can tell you we have a great deal of concern with that when we listen to the environmental processes that have gone around this province in the past, where the environment has been the first priority and not political rhetoric, which is what your government has been going through.

My question to the minister is, do you intend to shut down opposition to your plans by short-circuiting the environmental process?

1450

Hon Mr Philip: There's no short-circuiting of the process. For the first time there's a process in which there was \$1.5 million given for participant funding at the early stages of this. There's another \$1.5 million, then, for intervenor funding for those who may have any concerns about the three proposed dump sites.

It's the most open process possible, and no timetable was set by this government or by the IWA. It would be completely out of character for this government or for

any government to interfere in a quasi-judicial body such as the Environmental Assessment Board.

Mr Tilson: Your process is so open that four members of this House couldn't get into an IWA announcement. That's how open your process is. It's closed. So much for open government.

Mr Minister, your government has three superdump sites that are now being planned in three regions, and it's an understanding that this process will take up to three years, that it will be in actual operation within three years, and yet no environmental process has taken place, notwithstanding the fact there's at least one dump site in this province—I believe Halton—which took 17 years to take place. Yet you're going to ram this through in a process of three years. You're going to have this process in operation by 1996-97.

My question is, with these hearings, can you guarantee to people like the Jeffersons, who vehemently oppose the dump site in their home, that you won't arbitrarily shut them down, that you'll give them the right to a fair hearing, that you won't ram this through in a process, whether it's three months or even three years, that you'll give them the process that people in this province have had over the years? Never before have I seen such a process short-circuited as what you're doing in this province.

Hon Mr Philip: It in fact took Halton five years to identify the site. He'd be more correct if he wanted to look at Lanark, which is taking some eight years.

But I can assure the honourable member that the IWA has set up—

Mr Stockwell: Ed, you don't know what you're talking about. It took 17 years.

The Speaker: Order. The member for Etobicoke West.

Hon Mr Philip: —the most open process that has ever been given in this province. There have been numerous hearings. All of the material has been open—

Mr Tilson: It is a \$51-million flim-flam.

Hon Mr Philip: If the member wants an answer, I'd be happy to give it to him if he'll stop shouting over me. If, on the other hand, he simply wants to raise the rhetoric and not deal with the facts, then I guess it becomes a different matter.

But I can tell you that there is intervenor funding available to any group that wishes, and indeed a spokesperson for the Canadian Environmental Law Association this morning said that he thought it was a very open process and that most environmentalists would support the process as being the most open process that has ever been established by any government in this province.

HEALTH SERVICES

Mrs Lyn McLeod (Leader of the Opposition): A question to the Premier: Premier, when you embarked on the social contract you made a commitment that health services would not be affected by that contract. At least—I want to be absolutely accurate—I certainly recall the Minister of Health making that commitment on many

occasions, and in her absence today, Premier, you will have to speak to that commitment.

Almost daily we are hearing about cuts to health care that are directly attributable to the social contract. In order to comply with your social contract legislation, hospitals across the province are going to be forced to close down for as much as three weeks at Christmas.

Premier, I ask how you reconcile the closings and the service cuts that are now occurring with your commitment that access to health care would not be affected by the social contract.

Hon Bob Rae (Premier): I recall in the House that it was the Leader of the Opposition whose suggestion—

Mr James J. Bradley (St Catharines): No, no. Don't recall anything.

Hon Mr Rae: No, no. I just want to say that, for the record, in the month of June, when the first round of talks broke down, her suggestion was, "Cut your own budget, cut all the transfer budgets and let them deal with it." So I would say to her, back in 1989-90, before the social contract, change in acute bed staff, November to December, 618; 1990-91, 395. The next year, 1991-92, nearly 700; last year, 500.

When we go back to the Liberal government in 1989-90, we find that there were 600 acute care beds whose staffing was changed in November and December. There was no social contract back then. She was a member of the government, she was a member of the executive council and she was a member of the cabinet. I don't recall her getting up and objecting loudly and vociferously to the fact that at the end of the year and through the Christmas period there was a reduction in the number of beds. She will know perfectly well that every year in the system there's a reduction in the number of beds.

I would say to you that when you compare the social contract to the alternatives, in terms of what else was available to the government to deal with the extent of the financial problems which this province has been facing, I think the solution overall, generally speaking, is as fair as possible.

I would say to the honourable member, we still look to staff and to hospitals and to doctors and to nurses, and to everyone working the system, to ensure that the people of the province are well served, and we believe that that is what will happen. Of course, whenever services are changed—

The Speaker (Hon David Warner): Would the Premier conclude his response, please.

Hon Mr Rae: —it causes a reaction. But I would say to the honourable member, the social contract is now being blamed for everything up to and including the weather and rain. I thoroughly expect the Liberal Party to carry on in that regard and to carry on in that vein. I don't think the charges will stick because I don't think they're a fair reflection of the reality.

Mrs McLeod: If I wanted to get into a debate with the Premier about expenditure cuts to hospitals, I would have asked him about the 2%, 1%, 1% commitment that his government made and then completely reneged on.

Or, I might have gone beyond that and I might have asked about that lost weekend that produced the \$2 billion in expenditure cuts, with most of the burden falling on hospitals and school boards and municipalities.

The question I asked the Premier today was about the impact of his social contract legislation. Premier, so I can make sure that your recollections are a little more whole than you have indicated today, I would tell you that what we said about your social contract was: do not impose unilateral, arbitrary, restrictive, unmanageable, across-the-board conditions on the hospitals of this province. And that's exactly what your legislation did.

The problem is with your social contract legislation. It is not the only problem, but that's the problem that hospitals are struggling with right now. Let me make it as basic as I can: The only way that the hospitals can make the savings targets that you gave them under the social contract is to give their employees days off. That is the only alternative that your legislation gives to those hospitals. Now, when you give people days off it means that they can't provide service. That means if you give people days off—

The Speaker: Could the leader place a question, please.

Mrs McLeod: —there will be less service. Can you tell me how you see that as protecting access to health care? Can you tell me how requiring people to take days off and cutting the service helps meet your commitment to ensuring that health care will not be affected by the contract?

Hon Mr Rae: I would just say to the honourable member, she can't have it both ways. She can't stand up in the House as a good Liberal and say, "Get your spending down; save \$2 billion," and then say, "But if there'd been a Liberal government, we somehow would have saved \$2 billion without affecting transfers to hospitals and without affecting transfers to school boards." If that's the position of the Liberal Party, it has absolutely no credibility with anyone who knows anything about anything to do with health care or anything else in the province of Ontario. It just won't stick.

In that context, asking hospitals and their staff, doctors and nurses and people who provide care, to deal with a problem which we all share as a province, there's no getting around it, and saying, "Try to find the ways." The hospitals in their wisdom decided not to sign a collective agreement across the province with people that would allow them to enact the social contract in a way that we think would have been fair. They chose in their wisdom not to do that. The president of the hospital association and others chose not to do that. In that regard I think it's fair to say that we've exercised, on care for patients, a determination to maintain the system.

When you consider it with the alternatives, when you consider it against the alternatives, and the alternatives that are taking place in each and every other province in this country, from Newfoundland to British Columbia—

The Speaker: Could the Premier conclude his reply, please.

Hon Mr Rae: —I would say to you that Ontario

stands out for fairness, Ontario stands out for decency, and Ontario stands out for preserving services in the face of the cuts that are taking place in every other jurisdiction in the country, and that's the truth.

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Mr Carman McClelland (Brampton North): On a point of order, Mr Speaker: I'm well down on the question list and I wanted to ask the Premier a question about Whitevale. I just wondered, as a point of information, if the member for Durham West might be asking a question on behalf of the people of Whitevale.

The Speaker: The member doesn't have a point of order. The leader of the third party.

Mr Michael D. Harris (Nipissing): My question as well is to the Premier on this legislation. You've said that the hospitals chose your legislation. You're telling them how silly they were to choose your legislation. It's your legislation that is forcing them to have the days off.

My question follows up on that. Doctors in Ontario now intend to take nine days a year off in response to your social contract. This may result in longer waits for treatment and cancellation of surgery. Given that the purpose of the social contract, your purpose, was to cut the size and cost of the government payroll without cutting services—it was up to that point that we supported your purpose, that we supported your intention—can you then tell me what your response is going to be to doctors taking nine Rae days off at the expense of accessibility to patients in the province of Ontario?

Hon Mr Rae: I would say to the honourable member that we have a proposal from the Ontario Medical Association in terms of how it will deal with the impact of the social contract and the agreement which was signed between the government and the Ontario Medical Association.

I'm not going to pronounce today on my view of it. All I would say is that the responsibilities of everybody in the system are very clear. The provision of essential care is absolutely required. It's crucial for everyone to recognize their responsibilities in terms of access and in terms of ensuring that patients do have access.

I would also say to the honourable member that I think it's important that the joint bargaining committee between the OMA and the government be allowed to sit down and consider the various impacts and proposals that are being made and to look at them in a reasonable and, if I may borrow a word which I rather like that the member used earlier, in an unfevered way, and that's the way in which I intend to deal with it.

I think it's important for us not to exaggerate the daily barrage that we get in terms of news, in terms of things being somehow at an unprecedented level in this province. The services that are being provided are being provided well. Of course we're going through financial difficulties in the province; everyone understands that, but let's look at it in a reasoned way. Patients will continue to have access. Doctors will continue to perform their services. People will continue to have access—

The Speaker: Could the Premier conclude his response, please.

Hon Mr Rae: —to the best medical care system in the world. That happens to be the case and let's put that in some perspective.

Mr Harris: I assume that the doctors then, in reading the response—they've asked you to pass legislation to let them do this, and I assume from your response that the answer is, "No, go back to the drawing board and work out something else." The doctors will be happy to hear that.

Let me ask you this, Premier: The front page of the Toronto Star yesterday captured a very disturbing scene. An 86-year-old woman is being kept in bed twice a week—not even getting out of bed—on Wednesdays and Saturdays as a result of cutbacks. Today there are reports of massive closures of beds and services during Christmas—massive closures—far in excess of what we've ever seen before. Today we hear doctors asking you to pass legislation for them so that they can cut out nine full days of service, every one of them, to the people of Ontario—every one of them.

You and your Minister of Health are responsible for ensuring that services are not cut as a result of your policies. You said the social contract was to cut the size and cost of the wage package without cutting services. It is your role; you are responsible for the delivery of health; you're responsible for hospitals and how they cut; you're responsible for doctors and how they're going to cut out their 4.5% or 5%.

Why are you allowing this to happen without setting clear standards, without setting clear guidelines in conjunction with your restraint measures to ensure that Ontario patients are not suffering?

Hon Mr Rae: I would only say to the honourable member that I think he started out his question saying the front page of the Toronto Star this and that. I think we have to understand that the government has a responsibility overall, hospitals have a responsibility overall, nurses have a responsibility overall, and doctors have a responsibility overall. It's a profound regret to me that the hospitals and their staff were not able to reach an agreement overall that would have provided a master agreement for the hospital system across the province—a profound regret to me.

I still believe that when we look at the experience across the board in the province, when we listen to what hospitals have been able to do in various circumstances, we find that there's a remarkable degree to which there are a great many hospitals which have somehow, miracle of miracles, managed to meet their budgets and to meet their savings requirements without effecting layoffs, and without real reductions in service on a permanent basis.

I would say to you, Mr Speaker, that we think that's a message for all the hospitals in the system and for all of us in the system, to do everything we can to see that services are not reduced and in no way are reduced or threatened as a result of the social contract. That's very much what we want to see in place.

The Speaker: New question, the member for Durham West.

Interjections.

The Speaker: Order. The member for Durham West.
FEDERAL GOVERNMENT POLICY

Mr Jim Wiseman (Durham West): Thank you, Mr Speaker. It's really quite unfortunate that I'm going to have to disappoint all my fans, because I think they're anticipating a question, but my question is to the Minister of Natural Resources—

Interjections.

Mr Wiseman: —and it has to do with an issue that is of equal importance to a large number of my constituents.

Interjections.

The Speaker (Hon David Warner): Order. Would the member for Durham West take his seat, please.

Many seemed pleased that the member for Durham West was recognized in order to pose a question. Perhaps you would allow him to actually be able to place the question. The member for Durham West.

Mr Wiseman: My question is to the Minister of Natural Resources, and it has to do with the very large area adjacent to my riding called the national-provincial park. I want to emphasize the national part of it and ask the minister if he's had contact with the new government, the Liberal government—

Interjections.

The Speaker: Order.

Mr Wiseman: —that has promised in fact—

Interjections.

The Speaker: The member for Durham West take his seat, please.

I asked the House to come to order. The member for Durham West has been recognized by the Chair. I ask members to show some decency and some respect for the member who's been rightfully acknowledged by the Chair.

Mr Wiseman: Thank you, Mr Speaker. It's really kind of sad that this issue of importance to hundreds of my residents who live adjacent to the Rouge park, who are under some stress and trying to understand the Rouge park management process—

Interjections.

The Speaker: Order.

Mr Wiseman: —are looking forward to having some answers—

Interjections.

The Speaker: If it is necessary to start naming members, I will do so. I guarantee that the member for Durham West will place his question, regardless of the disrespect that's being shown by some members of this House.

1510

Mr Wiseman: Thank you, Mr Speaker. I appreciate that because the residents of Pickering have undergone numerous threats. This question is about the national-provincial park.

It has been promised in the past that there would be \$10 million forthcoming from the federal government to help create this national-provincial park. I would like to

know at this point if the new government in Ottawa has given any indication whether it will continue with that commitment, and if you have heard anything about where it is in terms of helping to plan this valuable resource adjacent to my community.

Hon Howard Hampton (Minister of Natural Resources): At this time, there has been no indication by the new federal government whether or not it intends to honour the commitment of the past federal government that it would be contributing funding to the Rouge Valley Park.

Mr Wiseman: That is one of the major issues. Another major issue has to do with the North Pickering lands. As this House will know, there has been a resolution passed by all the members of this Legislature.

The gun is really starting to come to the heads of these residents. The time frames are starting to be narrowed in terms of the federal government forcing these residents into a situation where their leases are now about to be terminated, where they have to make a decision on whether they can buy or not. This is of immediate importance to these residents in that they face the possibility that by Christmas or the new year at the latest some of them could be faced with eviction and not be in their homes, which I think is of immediate importance to them.

Do we have any indication from the ministers in Ottawa that they have reconsidered their policies on this issue and will in fact help out the residents who face immediate problems with respect to being evicted and losing their homes?

Hon Mr Hampton: The member is right. This question is quite urgent for a number of residents in that area. Unfortunately, at this time no indication has been given by the federal government of its intention to look at the plight of these individuals. We intend to continue to ask, and to follow up with the federal government, if it has any intentions at this point in time of dealing with the legitimate issues presented by the residents of those lands.

LANDFILL

Mr Gregory S. Sorbara (York Centre): In the absence of the Premier, who seems to refuse to answer questions on his government's disastrous waste management policies, I'll place my question to the Minister of Municipal Affairs. I want to tell the minister that if he or any member of his caucus had had the courage to attend the IWA announcement last Friday, the minister would not be so confident that the process is ever going to end up in the construction of even one site, not to suggest three landfill sites in the greater Toronto area.

I want to tell my friend the minister that I have never seen my community so outraged and so incensed at the way in which this whole issue has been handled. I want to tell the people and the members of the minister's caucus that so far \$50 million has been spent on a process that is going to blow up in the face of the minister come the next election.

My question to the minister simply is this: Why is the minister hiding behind the IWA? Why will the minister not acknowledge that the poison in this deal, that the

mistake that was made was made two and a half years ago by Ruth Grier when she was Minister of the Environment, when she insisted that the only solution to waste management in the greater Toronto area for the people of Metropolitan Toronto was to build a landfill site, use outhouse technology, and that the only place that site could go is York region—why won't the minister acknowledge that was the mistake that was made?

Hon Ed Philip (Minister of Municipal Affairs): I won't acknowledge that because it's simply not a factual statement. York region has had a coordinated waste disposal agreement with Metro since 1987. I did not hear the honourable member object to that agreement at the time when, under his government, that agreement was in fact signed. As early as 1983, York and Metro signed an agreement for joint working together on the disposal of waste.

It's fairly clear that the Britannia site will close probably in late 1997; the Brock West or Durham site somewhere between March 1994 and as late maybe as 1995; the Keele Valley as early as mid-1997 or as late as perhaps 2003. But however you look at it, there is no magic formula for suddenly wishing away garbage that is created by an industrial society such as that of the greater Toronto area.

The Speaker (Hon David Warner): Would the minister conclude his response, please.

Hon Mr Philip: In fact, what this government has come up with in setting up a completely independent system, a system that has no hands on by any politician, is to have a completely fair system in which various sites were examined in a scientific way, using 12 objective criteria. Three sites were chosen, and in fact—

The Speaker: Would the minister please conclude his response.

Hon Mr Philip: —the intervenor funding is available to the honourable member's constituents if they wish to intervene.

The Speaker: The time for oral questions has expired.

Mr Sorbara: On a point of order, Mr Speaker: The people who watch this question period should know that the Minister of Municipal Affairs simply was watching the clock throughout his answer to make sure that I would not have an opportunity to ask a supplementary question, that I would not have an opportunity to advise—

The Speaker: No, would the member take his seat. First, I understand his concern. The member will know that the time difficulty is not one that suddenly occurred in the last three minutes and 24 seconds. This entire question period has been awkward in order to try to get as many questions as possible on to the floor.

I understand full well the subject material about which the member speaks and his deep concern about it. I did ask the minister to try to conclude his response, as I had encouraged the member to place his question quickly, and in neither case was I successful. But no doubt, with question period tomorrow, we may in fact see more questions along the same subject matter.

Mr Charles Beer (York North): On a point of order,

Mr Speaker: I wish to rise to correct the record. Earlier, in answer to a question, the acting minister responsible for the GTA stated that I said that no dump would be built in my riding. As the minister ought to know, no dump has been proposed for my riding. What I have stated continuously is that I join with my colleague from York Centre in fighting very hard against the dump that is proposed in his riding. We have done that consistently, we will continue to do it, and that dump will not be built.

The Speaker: The member will know a member may correct only his own record. The member for Bruce.

STATUS OF BILL

Mr Murray J. Elston (Bruce): On a point of order, Mr Speaker: I have, on another matter, a point of order dealing with a public bill that is being dealt with before committee. I know that you have ruled on a couple of occasions that any issues with respect to points of order coming out of committee must be dealt with in the committee and there must be a report by the Chair of that committee to you.

I have raised on more than one occasion the difficulty in which opposition parties find themselves, since in all committees the opposition is outnumbered by government members and, in fact, they would preclude any question of an order item coming from the Chair of a committee to you for handling.

The question really revolves around Bill 50, which is in the social development standing committee. It comes to the issue of when amendments are in order and when they are out of order. In relation to this bill, which has been of major concern to all of us as we dealt with the social contract, as you will remember, it was introduced as a second bill after Bill 48, which was the real social contract bill and the real expenditure control bill by the government. It was used as a lever, we had suggested, to get certain commitments from other parties at the table on the social contract. It, as a result, had certain very extreme provisions which required certain actions being taken by the government. Now, as we go into committee, we are faced with the withdrawal of whole sections of heavy-handed tactics that the government used at their bargaining and at their negotiations.

In essence, this changes the nature of the bill quite considerably. The principles upon which the bill was sent to committee will be altered and the government will in fact vote against substantial portions of its bill to support the minister's new amendments. At no time will the opposition parties be in a position to overrule the government members; at no time can we require the bill to be brought back in the form that it appeared in at second reading.

1520

My questions are two: First, if the principle of the bill is altered, what does that do to the third reading debate? What does it do, in fact, to the committee of the whole? While I understand that there is some conjecture at this moment as to the very shape of the bill's being reported to you, I have to indicate that since the amendments have been provided by the government to each of our critics, we know that they are intended to be passed and in fact

will be passed. So what do we do in committee of the whole? What will we be allowed to do in debate at third reading?

Secondly, if we are to raise very strenuous complaint about the bill itself being altered in committee, how can we bring these issues back to you if a majority of the members, being New Democrats, at all times preclude a report being made to you for assistance and guidance with respect to the change in the nature of the bill?

Those two items, I understand, in some way are hypothetical, although you know, as I do, that having received the notice of the amendments as required under the standing orders which are now open in front of me, we will be faced or confronted with these items. I understand that you don't deal with hypotheticals, but this is the real world. It is a practical question, because at all occasions when that bill comes to be dealt with by us at second reading, we are able to talk about the principle. What do we talk about when the entire bill has been made inoperable, and in fact the principles changed, by the government in committee?

My view, sir, is that the bill ought to have been withdrawn when the amendments are of such major nature, and that in fact an admission should have been made that the bill did not represent good public policy in that regard. Now it seems to me that there should be a ruling that prevents them from gutting the bill and bringing it back ostensibly to complete a reading for a bill that no longer exists.

I don't want to burden you with too much of this, except that that is the practical dilemma with which we are confronted. At the same time, because you won't be confronted with the actual amendments yourself but in fact a report from the committee, I fear that you may decline to take any action after the amendments have been passed and after the report of the committee has been made.

Finally, if it is the case, as I have indicated, that the amendments are made in committee, would you entertain an extended debate around the report of the committee as to whether or not the bill itself is in order? I believe in my own mind that that could be perhaps the only portal for us to have some say about whether or not the report itself could be in order.

So, in essence, two particularly specific questions and a third, perhaps more wishful thinking than otherwise, but I ask for your guidance because this is a very serious matter for all of us as legislators.

The Speaker (Hon David Warner): To the member for Bruce, I appreciate the concerns which he has brought to my attention. He has answered in part his own question with respect to hypothetical matters.

He is right, of course, that a bill which has completed second reading and has gone to committee may in fact be altered and a different type of debate may ensue at third reading. However, he has raised some serious concerns and ones about which I wish to reflect. I'd be most pleased to chat with him later on regarding the concerns he's raised, because I fully appreciate the matters which he has described to me.

PETITIONS GAMBLING

Mr James J. Bradley (St Catharines): I have a petition dealing with casino gambling. It's to the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has not consulted the citizens of the province regarding the expansion of gambling; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas credible academic studies have shown that state-operated gambling is nothing more than a regressive tax on the poor; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the government has not attempted to address the very serious concerns that have been raised by groups and individuals regarding the potential growth in crime,

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gaming casinos and refrain from introducing video lottery terminals in the province of Ontario."

I will be affixing my signature to this petition, as I am in agreement with its contents.

VITAL SERVICES TO TENANTS

Mr David Turnbull (York Mills): I have a petition addressed to the Legislative Assembly of Ontario. It reads:

"Whereas tenants suffer undue hardship when landlords break an obligation to provide vital services such as electricity, gas and hot water; and

"Whereas most municipalities are not fully empowered to compel such landlords to rectify the matter,

"We, the undersigned, hereby request that the government of Ontario enact David Turnbull's private member's bill, An Act to amend the Municipal Act in respect of vital services by-laws, to give Ontario municipalities the authority to quickly restore vital services to occupants of rented premises when landlords fail to do so."

This is signed by dozens of my constituents, and I too affix my signature to it.

RETAIL SALES TAX

Mr Dalton McGuinty (Ottawa South): I have a petition which reads as follows:

"To the Parliament of Ontario:

"Whereas the government of Ontario has proposed in its spring budget of 1993 to impose a tax on beer produced by the general public for their own consumption at brew-on-premises facilities in the province of Ontario,

"We, the undersigned, will not accept an attempt to tax our own labour and efforts to make our beer and wine at brew-on-premises facilities for our own consumption.

"Further, we feel this attempt is shortsighted and extremely counterproductive. The Ontario government has bowed to pressure from the multinational brewing

interests to level the playing field, and in doing so has failed to understand the brew-on-premises industry and the devastating results of this regressive tax.

"Attempts to further tax our own beer and wine will cause business failures and loss of jobs resulting in revenue loss to local and provincial governments. The brew-on-premises facilities we support contribute to our local and provincial economies and represent the true entrepreneurial spirit which will drive our economic growth in the future."

I agree with this statement and I affix my name to the petition.

GAMBLING

Mr David Turnbull (York Mills): I have another petition addressed to the Legislative Assembly of Ontario. It reads:

"Whereas the New Democratic Party government has not consulted the citizens of the province regarding the expansion of gambling; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas credible academic studies have shown that state-operated gambling is nothing more than a regressive tax on the poor; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the government has not attempted to address the very serious concerns that have been raised by groups and individuals regarding the potential growth of crime,

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos and refrain from introducing video lottery terminals in the province of Ontario."

I too affix my signature to this.

FERRY SERVICE FEES

Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings): With regard to the continuing saga of ferry tolls, this petition is from the Residents Against Ferry Tolls:

"We respectfully request that the members of the Legislature of Ontario direct the Minister of Transportation not to impose tolls on the ferries which are necessary for access to our communities.

"The government's proposal to charge tolls on the ferries will cost individual families thousands of dollars and may very well reduce incomes of businesses whose customers use the ferry by tens of thousands of dollars.

"Hundreds of thousands of dollars will be transferred to the provincial government in Toronto through the new ferry toll. In the long run, the economy of this area will be reduced by millions of dollars.

"The proposed ferry toll is a new tax that this area cannot afford and in the end is a tax that the province cannot afford."

I affix my signature to this petition.

1530

LANDFILL

Mr W. Donald Cousens (Markham): I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas on October 24, 1991, the NDP government introduced Bill 143, the Waste Management Act, and tried to force the Legislature to pass the bill before Christmas 1991 without public consultation or notification to affected municipalities and residents and without naming the candidate landfill sites; and

"Whereas the NDP were forced into five weeks of public hearings and listened to over 200 presenters, all recommending amendments to Bill 143; and

"Whereas the NDP refused to listen or pass any opposition amendments to Bill 143 which would protect and secure individual and municipal rights to full environmental assessment hearings on waste alternatives, such as rail haul; and

"Whereas the NDP used their majority to pass Bill 143 on April 23, 1992, with full support and endorsement from Mr Wiseman, MPP, Durham West, Mr O'Connor, MPP, Durham York, Gordon Mills, MPP, Durham East; and

"Whereas the NDP named 57 candidate landfill sites on June 4, 1992; and

"Whereas Ruth Grier and the Premier refused to meet with groups opposing the dumps and refused to consider the alternatives like rail haul, contrary to Mrs Grier's support of rail haul in January 1991; and

"Whereas Mrs Grier refused to meet with the residents and mayor of Kirkland Lake to review the Adams mine proposal and proceeded to ban rail haul without considering the impact on the northern economy; and

"Whereas the NDP government created the Interim Waste Authority to find a solution to GTA waste and operate independently from the Minister of the Environment, but at the same time the IWA was forced to adhere to Mrs Grier's ideology and her ban of waste alternatives such rail haul and incineration; and

"Whereas the IWA and the NDP government refused to conduct an environmental assessment on the alternatives and remained firm in subjecting communities in the regions of York, Durham and Peel to a process that ignores their fundamental rights to a review of alternatives and employs a system of criteria-ranking that defies logic and leads to the selection of dump sites on environmentally sensitive areas, prime agricultural land and sites located near urban areas,

"We, the undersigned, want Bill 143 revoked and replaced with a bill that would allow a full environmental assessment on all waste management options."

This is submitted to you, Mr Speaker, and I will affix my signature as well in support of this petition.

HEALTH CARE

Mr Anthony Perruzza (Downsview): I've been forwarded a petition from the people in the Yorkview Medical Centre and an accompanying letter which asks me to submit this petition on their behalf. I'm very

pleased to do so and I'd like to read the petition. It's addressed to this humble House:

"To the Legislative Assembly of Ontario:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction in the provision of quality health care services across the province,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario move immediately to withdraw these proposed measures and reaffirm its commitment to rational reform of Ontario's health care system through its obligations under the 1991 Ontario Medical Association-government framework and economic agreement."

I'd like to submit this to you, Mr Speaker, and will not be affixing my name to this petition.

HUMAN RIGHTS LEGISLATION

Ms Margaret H. Harrington (Niagara Falls): This is addressed to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Bill 45 will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex.' This will redefine the family as we know it. We believe that there will be an enormous negative impact on our society over the long term if fundamental institutions such as marriage are redefined to accommodate homosexual special-interest groups.

"Also, Bill 55 would make it illegal for people to make any public statement, written or oral, which ridicules or demeans or discriminates against a person on the grounds of sexual orientation. Bill 55 is also an attack on freedom of religion against historical Christianity, which does not condone homosexuality.

"We therefore request that the House refrain from passing Bill 45 and Bill 55."

This is signed by 80 people from the city of Niagara Falls.

INTRODUCTION OF BILLS

CHILDREN'S ONCOLOGY CARE
OF ONTARIO INC ACT, 1993

On motion by Ms Poole, the following bill was given first reading:

Bill Pr57, An Act respecting Children's Oncology Care of Ontario Inc.

CHILDREN'S TOBACCO PROTECTION ACT, 1993

LOI DE 1993 SUR LA PROTECTION
DES ENFANTS CONTRE LES EFFETS DU TABAC

On motion by Mr McGuinty, the following bill was given first reading:

Bill 118, An Act to protect Children from the Harmful Effects of Tobacco and Tobacco Smoke / Projet de

loi 118, Loi visant la protection des enfants contre les effets nocifs du tabac et de la fumée de tabac.

The Acting Speaker (Mr Noble Villeneuve): Does the honourable member for Ottawa South have a brief outline of his bill?

Mr Dalton McGuinty (Ottawa South): Each year in Ontario 13,000 people will die from tobacco use. This has been going on for a long time and it will continue to go on into the future unless we attack the problem in an intelligent way.

My bill recognizes that studies show if we don't start smoking by the time we're 20 years of age, we're not going to start. It also recognizes that unfortunately in this province 3,000 kids start smoking every month. My bill will make it harder for our children to gain access to tobacco products. In particular, it prohibits the sale of tobacco to a person under 19 years of age. It prohibits smoking by adults in places where children carry on activities. It also prohibits the sale of cigarettes in packages that contain fewer than 20 cigarettes.

ORDERS OF THE DAY

PROVINCIAL OFFENCES STATUTE LAW AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT DES LOIS EN CE QUI CONCERNE LES INFRACTIONS PROVINCIALES

Resuming the adjourned debate on the motion for second reading of Bill 47, An Act to amend certain Acts in respect of the Administration of Justice / Projet de loi 47, Loi modifiant certaines lois en ce qui concerne l'administration de la justice.

The Acting Speaker (Mr Noble Villeneuve): The honourable member for Dufferin-Peel did have the floor when we last participated in this debate. I see he is not present. We will therefore continue in the normal rotation.

Mr Robert V. Callahan (Brampton South): I hope the Legislature will bear with me. I am suffering from a rather severe case of laryngitis. In fact, some of you will probably applaud that I do suffer from laryngitis. I'm just getting my voice back, but I felt this bill was so important that, laryngitis or no laryngitis, I had to speak to it.

As I've indicated on previous occasions, I have a very deep concern about the question of justice and how it's administered, not just in this province but throughout Canada. I could start off, I guess, in the vein that many people have in terms of objecting to radar being used to stop speeders. I won't do that because I think anything we can do to make our roads safe is a wise move.

1540

What I'm going to take exception to are a number of things. Despite the assurances in the bill and by the minister that there will be no demerit points for this type of infraction, we have no assurance whatsoever from insurance companies that in fact a person's rate will not go up. I've yet to hear the minister assure us—either the minister responsible for this bill or the minister who is responsible for insurance companies—that he has any guarantees from insurance companies that this will not affect people's insurance rates.

It's a very significant fact when one considers that, because of the introduction of the revised bill by the New Democratic Party government, the rates were going up by \$100 and \$200. This was particularly significant for people on fixed incomes, for seniors and so on. Until I'm satisfied that the minister has done his homework and can guarantee to this Legislature that in fact the implementation of this rather bizarre and, I guess, Orwellian type of catching speeders will not in fact impact on people's insurance, I'm not satisfied that it's a good bill.

The minister, in introducing this bill and all of the press that has been sent out by the government in terms of trying to get the public to support this bill, seemed to indicate that it's there in order to stop accidents on highways by cutting down on speeding. The difficulty I have is that, if a person is travelling, let's say, on a 400 series highway where we have 100-kilometre speed limits and that person is travelling at 150 kilometres, 160 kilometres or 170 kilometres, that person—

Mrs Ellen MacKinnon (Lambton): Oh, my goodness.

Mr Callahan: The member says, "Oh, my goodness," but there are reports in the press clippings that I have seen where high-performance cars can very easily get up to that speed without your even knowing you're doing it. But I'm talking about someone in the car, the driver of the car, who in fact gets up to speeds that are well in excess of the posted speed limit. What have you got to stop them? You've got Kodak or whatever it's going to be. They're going to get their picture snapped, and that's hardly going to be a safety feature for the people of this province.

In fact, what you've done is failed to put in place the very necessary policing required to ensure that our roads are safe. I suggest to the minister that when he says this bill's purpose is to cut down on speeding and to make our roads safe, he's dreaming in Technicolor.

I guess the big concern I have too—as I said before, I'm in favour of safety on the roads, as I think any responsible member of the Legislature would be. The concerns I have—we have seen a disintegration or a limiting of policing roles, particularly with the Ontario Provincial Police in this province, not due to anything on their part—they certainly carry out their function in a very responsible way—but, because of cutbacks such as the social contract program and other endeavours by this government, the policing hours for the OPP have been greatly limited.

We've heard in this House from the member for Cornwall how, during the days of smugglers' alley around the Cornwall area, people of perhaps less than good repute were smuggling cigarettes into Canada and shooting at residents in the area. We found, in fact, that the Ontario Provincial Police, until we raised it in this Legislature, were closed for business between 3 o'clock in the morning and, I think, 7 in the morning, which is probably the critical area at which time smugglers' alley was in high operation.

If this government has demonstrated through that particular pledge of faith that it's prepared to cut back or reduce the services of the Ontario Provincial Police in a

very critical area to ensure the safety of the people of Cornwall, how can we possibly accept the fact that this is anything more than an opportunity to simply remove the Ontario Provincial Police in totality from our highways? In fact, I venture to say that since this government was elected, the number of times I've seen Ontario Provincial Police cruisers on the 400 series highways has been very limited. I suggest that has a large degree to do with the government's funding of the Ontario Provincial Police; it has absolutely nothing to do with their failure to perform their responsibilities. The Ontario Provincial Police, in my mind, is one of the finest police forces, not just in this province but perhaps in North America.

I must tell you that in coming back from Ottawa yesterday, I was driving down through, I think it was, Highway 37 and I passed an Ontario Provincial Police detachment. I counted about 15 to 16 cruisers that were parked. Again I say, this is not an indictment of the Ontario Provincial Police. They obviously are being limited in terms of what they can do in carrying out their responsibilities by the moneys that are made available to them through this government.

What does this bill do? What do the people of Ontario think this bill does? Well, they've listened to the arguments from the New Democratic Party saying it's safety. I'm suggesting to you, or have just suggested, a few brief comments as to why it is not safety.

When one looks at the fact that this is going to allow this government to purchase one or more of these gizmos—they cost \$80,000 each, I understand, mounted on a tree or whatever.

In fact, in British Columbia, where they're getting this idea from, one of the officers, in the news reports that I saw, was actually operating the camera. He saw a car moving along at about 150 or 160 kilometres an hour on the highway and he wanted to get in his car and pursue that vehicle for the very reasons I've opened up with, that this car was a danger to the other users of the road, but he couldn't leave his camera.

Is this what we're going to have? Are we going to have manned cameras or are we going to have unmanned cameras? We don't know. If they're manned cameras, then of course you have a police officer, who is a trained professional to protect the people in this province, being used as nothing more than a Hollywood cameraman. That to me is an absolute waste of the training. It's probably going to drive the officer to retire early, because he joined the police force not to be a cameraman but to be a policeman.

I suggest to you that if you're going to mount them on trees or mount them in strategic locations along the road, you may very well experience what they've experienced in Europe. They have these devices in Europe. They have found that people have located them and destroyed them. They've found that these devices have been shot up, have been battered with rocks, have been destroyed. If that's the case, Mr Minister, and I hope you're listening to my thoughts in this regard and not talking with the other member, you're going to be paying \$80,000 every time one of these things is destroyed. You're going to have to make an awful lot of money with that device.

The way I look at it and the way it's reported, on a roll of film of 36 pictures, you could probably pick up an awful lot of money. What's going to happen is that you're going to be snapped without even knowing that you're snapped and you won't find out until a considerable period down the line; I think it's 23 days or something like that that they have to notify you. You're going to get something in the mail and you're going to wonder, "Where was I on the night of 23 days ago?"

In all likelihood, you probably didn't even have the car. It may have been one of your children. The car may have been stolen. We're reading in the press today about the significant increase in cars stolen by young people. They're called the pillow gang. They need pillows, because they're so young, in order to reach the steering wheel. They're stealing cars not just here but in Alberta and throughout Canada. I suggest to you, what if somebody's stolen your car, racing down the highway, gets a ticket and you get the ticket sent to you?

Let's make it even worse. Let's say you have a leased car and it's sent to the leasing company. By the time you get it, the 15 days will have expired and there's no way you're ever going to get to have your day in court. There is a process in the bill for you to then go before a judge and apply to have it reopened on the basis that you didn't know about the conviction, but I suggest that the provisions of the bill itself are machiavellian.

I asked one day last week during the two-minute discussions as to whether or not the New Democratic Party had ever heard of the Magna Carta. I don't think they have. In fact, some of them over there said, "Magna what?"

In this bill is contained a whole bunch of little goodies, and if you examine the bill very closely, you will note a couple that are extremely contrary to any principle of justice and to the Magna Carta or any of our Charter of Rights. It's going to be challenged; there's no question. I hope we can collect enough money to pay for the legal fees to fight a charter challenge.

I think the provincial government of whatever political stripe has a responsibility to the citizens of this province to ensure that when bills are put together and are passed, they are charterproof. We're required to do that. Why should we have to tell the people, the public, to pay a lawyer's fees in order to take it up to the Supreme Court of Canada to prove that we were a bunch of donkeys? I think we have an obligation at the outset to ensure that the bill is charterproof.

1550

I suggest to you that this bill is not charterproof and I will tell you why. Under the Provincial Offences Act, which was introduced by the previous Conservative government—it was quite a novel act, because what it did was it streamlined the whole process of being able to be charged, to have a trial, to ensure that you could have a trial, that you could plead guilty, and several other options. But what the New Democratic Party government has done in a very crafty way in this bill is that it has ensured—not just with speeding tickets, but this also deals with parking tickets, believe it or not.

I draw the minister's attention to the fact that subsection 5.1(3) reads as follows: "A defendant who is served with an offence notice may give notice of intention to appear in court for the purpose of entering a plea and having a trial of the matter by attending in person"—and I underline that—"or by agent at the court office specified in the offence notice at the time or times specified in the offence notice and filing a notice of intention to appear with the clerk of the court."

What that means is that if someone's car is photographed at the border of Ontario and Quebec and they live in Windsor, they have to travel from Windsor to the Quebec-Ontario border, to that court, to file their ticket and say they want a trial. Then the clerk is required to give them a date for trial and they then have to come back from Windsor again—they've already travelled from Windsor to the border of Ontario and Quebec, they've driven back home and they've got to drive back from Windsor again for their trial. In the past, under the Provincial Offences Act, as I'm sure anybody who's had a ticket will know, you could mail it in to the office.

Hon Gilles Pouliot (Minister of Transportation): Stay closer to home and slow down.

Mr Callahan: The minister is here and he's cavalierly saying, "Just slow down." I'm addressing what I think you should understand is a matter of simply telling the people of the province of Ontario: "Stuff it. You don't get a trial. What we're going to do is we're going to make it so inconvenient for you that you'll just give up and you'll pay your ticket."

Hon Mr Pouliot: Absolutely not.

Mr Callahan: Minister, you haven't been listening to what I've said, because that's precisely what will happen here, the fact that you can no longer mail it in. Why did you take that provision out? Did you take it out because you want people to be so inconvenienced that they will pay the ticket rather than—

Mr Bill Murdoch (Grey-Owen Sound): On a point of order, Mr Speaker: I think it's very important that the government of the day hear this gentleman speak, because he's saying a lot of things. It's nice to see that the minister's here, but I don't know whether he's listening and there doesn't seem to be anybody else over there to listen. I don't think there's a quorum.

The Acting Speaker: Could the clerk check if we have a quorum, please.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: The honourable member for Brampton South may resume his participation in the debate.

Mr Callahan: I want to highlight what I was saying about the question of subsection 5.1(3). No longer can you put a 43-cent stamp on your plea of not guilty and mail it to the court on the Quebec-Ontario border from Windsor. You have to get somebody down there to do it

for you, at extreme cost, and of course if the cost is not in line with what your ticket's going to be, you're just going to "Ah, forget it."

I suggest to you that not only did they have the audacity, or the ignorance, one or the other, to do that, but I think it's deliberate. I think they did it deliberately. To make it so impractical and impossible for a person to get a fair trial or even an opportunity for a trial, they put this provision in to make them have to drive from Windsor to the border of Quebec and Ontario.

One can see that they might want to do that with speeding offences, but they're doing it with the poor person who gets a parking ticket down at the Quebec and Ontario border and lives in Windsor. That person can no longer challenge the parking ticket without going to attend, or having an agent, at expense to them, attend at the courthouse on the Quebec-Ontario border to just request a trial.

I always thought that in this country, the democratic society, people were entitled to have trials. This piece of legislation goes a long way towards being Star Chamber or draconian. In addition to that, going back to the Magna Carta and perhaps in any democratic environment, they're entitled to face their accuser. This act has a very interesting twist to it, because if you want to have the police officer there who took the picture or gave you the ticket, you've got to serve notice. It puts the onus on the person who's accused to do all these marvellous things to make sure that he or she can get a trial.

That flies in the face, it seems to me, of big government. Big government has the ability, and certainly under the Provincial Offences Act it streamlined the whole process, to allow people to have their day in court. This bill doesn't do anything like that. This bill in fact discourages people from coming to court and that's a denial of natural justice to those people who are innocent. There are people who perhaps have a legitimate beef that should be aired in a courtroom, and yet this government by this piece of legislation has dramatically and draconianly taken away that right from these people.

I suggest, Mr Minister, you take a look at that because that's certainly a change, a very dramatic change, a 360-degree change from what was provided in the Provincial Offences Act in the past, and it was done deliberately. It was done deliberately because what you want to do is you want to be able to snap as many pictures as you can, get as much money as you can into the coffers of this province and to hell with the constituents of Ontario.

This is just another way of draining more tax money out of the pockets of the people of this province. It amazes me. Every day the Treasurer of this province and the members of the cabinet come up with the most unique ways of draining every last little dollar out of the pockets of people, and they do it in such a way that they're going to deny them. They don't want to waste time. They don't want to give people the right to be heard. That's not on their agenda. Their agenda is to make as much money as they can, spread the largess around and drain taxpayers to the nth degree.

I go back to where I began: It is admirable to try and

stop people from driving recklessly, carelessly on highways, but you don't do that by bringing in a Brownie camera; you don't do anything about stopping those speeders who I said were travelling far in excess of the speed limit.

You also take away the possibility that if somebody's travelling on Highway 400 or Highway 401 or Highway 403 and that person happens to be drunk—I certainly don't want to be on that highway with my family when somebody's snapping that drunk's picture and there's no police officer there to challenge that driver. I don't consider that to be a safe environment for me to drive in, for my family to drive in or for my children to drive in, or anybody else in this province for that matter.

That's in fact what you're doing, and you're not going to get one more nickel out of the Treasurer for this. You won't get any more money for policing in this province. In fact, it will go the other way. I think we'll see less and less of Ontario police cruisers on the highways, and maybe this is a way of giving them permanent Rae days. I don't know. It bothers me.

Hon Mr Pouliot: Come on, Bob. That's not fair. This is a safety issue; money has nothing to do with it.

1600

Mr Callahan: It's not a safety issue.

The next thing I want to say, Minister, is what are these cameras going to be set at? What speed? If it says 100 kilometres on the highway, on the 400 or the 401, are you going to set the cameras at 100 kilometres or are you in fact going to conspire to breach the law with the police and everybody else by setting them at 110 or 120? Who is going to make the choice? Will it be at cabinet? You'll roll the dice to see what the speed will be for this day and next week; everybody gets their choice as to what the speed will be.

Hon Mr Pouliot: The police will make that decision.

Mr Callahan: The minister says the police will make that decision. I suggest to you that the police are required to uphold the law, Minister. They're not allowed to become the Sheriff of Nottingham's private police force to set the speeds contrary to the law. The law is set by the Legislature, and hopefully it's set in a clear enough fashion that the courts can interpret it in a way that's fair to all of the people of this province.

Minister, what you've done is you've got in there that the speed will be set by the police. What if the police decide on a Sunday or a day where it's not too busy: "Why don't we give the people of Ontario a break? We'll set the camera at 150 kilometres an hour so they can speed if they want." It's incredible that you would leave this discretion to the police. The police now do exercise a discretion, but they exercise it on the basis of individual observations that they make as trained officers. They make it on the basis of the person's reason for having exceeded the speed limit.

Hon Mr Pouliot: So we should interfere with a police officer.

Mr Callahan: No, I'm not saying we interfere with police duty at all.

Hon Mr Pouliot: What is it you're saying?

Mr Callahan: What in fact I'm saying is that you have now told them, "Set the camera at 110, 120 kilometres an hour." If that's the case, why don't we raise the speed limit to 120 kilometres per hour? What's the point of telling the police to be the culprits and to be the people who are going to decide what the speed will be at? I find it incredible that we're asking our policemen to now become either lawbreakers or lawmakers—I'm not sure which.

I would think police officers would find that a little objectionable. I think they're professional people who would like the opportunity to be able to determine whether or not the person they stop has a legitimate reason for perhaps speeding. It also gives them an opportunity to enforce other laws in terms of the question of drinking, the question of seatbelts, all those things that go towards maintaining safety on the highways for every citizen of Ontario.

I also find that this bill is machiavellian in that you can now lose your licence, you can have licence suspended, if you don't pay your fine for breaching the Game and Fish Act. What in the world does the Game and Fish Act have to do with your driver's licence? You're going to put some poor sucker who's a truck driver off the road because he was annoying ducks with his truck, maybe by mistake or maybe by honest mistake. That to me in itself is probably a basic reason why the Supreme Court of Canada at some point in the future will look at this bill and it will say: "Who put that bill together? What government could possibly consider suspending people's licences for a breach of the Game and Fish Act?"

That's not the only bill. This government should be called the regulation government. They love to do things by order in council, by regulation of the cabinet. What that does is allow them to bypass this Legislature entirely. This Legislature becomes, in fact, defunct. We have no role whatsoever. I expect to see an act come out of that government over there that will have one paragraph in it: "This bill will do 1,001 things and it will all be done by order in council."

They think they can fool the people of this province by people thinking: "Well, the Lieutenant Governor, he's a nice guy. He'll look after our interests." I think the people of Ontario should understand that a regulation made by the Lieutenant Governor in Council is in fact the cabinet, the cabinet of the New Democratic Party, which has all the power to pass that particular piece of legislation without hearing one word from the members of the opposition or even one word from their own members about whether it's right, fair or just.

There are other acts in here which I find amazing. Whoever heard of having your licence suspended for a breach of the Compulsory Automobile Insurance Act? It's a minimum \$500 fine to begin with. If you don't pay the fine, the government is going to jump on you by suspending your licence. So what? Do you think that's really going to get the person to pay it? If they haven't got insurance, they're probably not going to be driving anyway.

The fact is that the suspension of your licence is a

serious offence. You're going to have a lot of people out there driving without licences, and therefore without insurance, because they'll be off coverage. What this government is doing is creating a great tax-gathering machine, but they haven't given one jot of thought to the logic of how it all unfolds.

They're also suggesting that there won't be any demerit points for the owner. That's fine; that's understandable. That may be one argument counsel for the government may make before the Supreme Court of Canada. The rest of them would get laughed out of court, but that one might get a couple of the justices' minds thinking that perhaps this is a fair matter.

They can't have their licences suspended. That makes sense too, because you could hardly suspend somebody's licence when you've convicted them, tarred and feathered them, on the basis of some picture that was taken of their licence plate.

I just find it's mind-boggling, and it's indicative of every piece of legislation that's been brought forward by this government. They don't care about people's rights. The most important thing is they want it done quickly. It's kind of like Macbeth, "If you're going to do it, do it quickly," and the maximum revenue to be achieved from it without too much in deductions for cost and overhead. They want to hang on to those moneys to do other things that are just equally as wacko.

I want to finally address something that has been significantly overlooked in this province: the question of a government being able to suspend people's licences for failure to pay a fine. Let me give you this scenario which was told to me by a university student, and there may be people out there watching and perhaps members of the government who will say: "Too bad. They should have done the things they should have done."

This person was at university. They were living off campus. They left school because school was over. They had gotten a ticket and they didn't pay it. The notification of the fine after the conviction was sent to their old address at the university house they were in.

They go back home or they go to a new permanent address, and they notify the Ministry of Transportation when they get home of their new change of address, but not once does that notification of the conviction and the fine come to their attention until—and I'm sure people watching will remember that this has happened to them—notification comes in the mail and says, "Your licence is suspended."

Here's the person just about to go away on holidays, or a salesman who needs his car for his job, or a trucker or whatever. He looks at it and he says, "Oh, my gosh, I'd better go down to the courthouse and pay that right away." So they beetle down to the courthouse, pay in cash, and the person taking the money says, "Well, it will take 10 business days for your licence to be reinstated."

It astounds me that in this day of the computer age we can deny a citizen of the province of Ontario—I'm not talking about the constant offenders. They should know better, because once you've done it once, you should know after that you've got to pay those. I'm talking

about people who overlook a fine for the reasons I've just stated, or a whole myriad of other reasons perhaps: that it doesn't come to their attention, that somebody takes the letter out of the box or it doesn't get delivered by Canada Post or whatever. These people are being penalized far beyond any possible penalty one could think of. Their jobs may be on the line. We're talking about an economy where it's important to keep people in jobs. This government is in fact putting out the seeds of destruction for these people by continuing that process.

If the minister has not heard one thing I've said this afternoon about this bill, I hope he would look into the injustice that occurs when a person, through no fault of his or her own, perhaps through inadvertence, winds up not paying a fine and finds that his or her licence is under suspension. Can he ensure that the people who take the cash to pay the fine can at least get the licence back to the person that day as opposed to waiting 10 days and perhaps having that person lose their job?

1610

Mr David Johnson (Don Mills): I guess I would like to perhaps build on what the member for Brampton South has indicated about the unfairness of the system. In that regard, I have a letter from a constituent that I think reinforces what the member for Brampton South is saying.

My constituent was caught in a radar trap in the vicinity of Guelph. This was a conventional radar trap. Of course, photo-radar hasn't yet been implemented. But he felt that this was unjust. He felt the radar mechanism wasn't properly working. As a matter of fact, at the time that it was captured, he was in third gear in his Volkswagen and couldn't possibly be speeding.

So he thought: "Now, I'll fight that. I'll go and I'll fight it." But the problem is that he works in Toronto, he lives in Toronto, and he had to go to court in Guelph.

So he went to his employer and he said, "Look, I need the day off to go to court so I can fight this." His employer frankly said he couldn't have the time off. He said it would be a waste of time anyway, so don't—

Hon Mr Pouliot: He doesn't work for the government.

Mr David Johnson: He doesn't work for the government. Of course, if you work for the government, you can have all the time off you need, the minister's indicated. But he couldn't get the time off because the employer said it would be a waste of time and he wouldn't win at any rate. So he lost and he had to pay.

Now, through the photo-radar, how many people are going to get tickets that could well be in Guelph or any other area at some considerable distance from their residence? They're going to get this ticket two or three weeks later, even up to a month later, they're going to be presumed to be guilty unless they can somehow prove their innocence, and to do that, they'll have to take time off from work. Many working people cannot take that time off from work to go to some court in some distant place and fight it.

There is something basically wrong with a system that presumes that persons are guilty unless they appear to

prove their innocence. I think that's what the member for Brampton South was alluding to.

Mr James J. Bradley (St Catharines): I'd like to compliment the member on his address this afternoon because it certainly hit many of the points that people who are writing to us are talking about.

I think that the full impact of this bill, as he has appropriately noted, will not be seen until such time as there are people who are receiving these tickets. It's one thing for them to receive a ticket when in fact there's a police officer there who has apprehended them. They may not like it but they understand the process and it might even slow them down a bit.

But let us say that someone were going from Toronto to Montreal and the light would be flashing. They would have one ticket, then another ticket and then another ticket. It wouldn't have slowed them down at all. I think the member for Brampton has appropriately pointed out that and some of the other deficiencies of this bill.

He has noted most appropriately that there are going to be ramifications of this bill that perhaps many in the government have not expected. As opposition persons, all of us would be, you might say, rubbing our hands at the thought of the people writing letters to us, giving us calls, talking about the policy of this government in this regard which is making criminals out of many, many of the people on the highway who are driving, under relatively safe conditions, at a speed that may be in excess of the posted limit, which some of my constituents say is an unrealistic limit at this time.

So I think the member for Brampton does a service for members of this Legislature when he points those out. I want to say that he has done it in an articulate manner, a logical manner, a sensible manner and one which I believe would certainly appeal to most of the people in this province.

Mr Chris Stockwell (Etobicoke West): The interesting things about the pronouncements from the member for Brampton South, I believe, are the comments with respect to the ability to appeal or appear in court on cases. It used to be that you could mail in your plea, and if you pleaded innocent, you would be scheduled a court date and you would appear and state your case. Under this plan, this government is so grubbingly looking for money that it's done away with that opportunity as well.

Hon Mr Pouliot: Oh, that hurts.

Mr Stockwell: I know that's a tough word, but this piece of legislation sickens me. It sickens me because it's in the guise of public safety. When this member opposite and his hatchet men and women sit around him offering this up in the guise of public safety when it's nothing but grubbing for money—and that's really what this issue comes down to; people don't even have an opportunity to defend themselves when they get nailed by photo-radar. The photo-radar is set up in areas that are notoriously undersped areas, limited by local municipalities. People go through there, not people driving crazy, not wild drivers by any stretch, not criminals, and every one of them that goes by is going to be given a ticket, because these people need money so bad they don't care how they

get it, whether it's through casinos and selling out principles or whether it's convicting people in absentia by putting a camera on the road taking pictures of licence plates. They don't even care who is driving the car; they just want their money.

The most sickening part is they sit across the floor and they snicker about this, but people who can't afford to pay these bills will be forced to pay them, and they're not speeders; they're law-abiding citizens who drove through areas that are undersped. We know such areas exist. From a socialist government, you'd think something better could come of it, but from this government I expect nothing more than this low-life, money-grubbing attitude.

The Acting Speaker: Thank you very much.

Interjections.

The Acting Speaker: Order, please. If members want to participate, now is their chance. Questions or comments? We can accommodate one final participant.

Mr Norm Jamison (Norfolk): On this issue, I've listened to the main speaker and I've listened to the comments pertaining to the speaker from the Liberal Party. You'd almost think that there was an argument here to be put forward to take all the speed limit signs down in the province, if you really listen to what's being said.

It's obvious that there are many, many lives lost on the roads today. On our four-lane 400 series highways, it's very difficult for the OPP to pull over every person who's exceeding the speed limit. When we talk about sanity on our roads, we need people to understand that speed limits are posted to be kept. It's law, simple and clear, that you keep the speed limit in this province. People who exceed the speed limit, and some by 30 and 40 kilometres an hour, are doing so at a risk to not only themselves but to my family.

I've heard someone on the other side of the floor today talk about their family. How many innocent families are injured and hurt every day on the roads of this province by people who will not abide by the law? It is the law. I say that photo-radar will go a long way to implanting in people's memory that very law that they should be driving by.

It seems to me that the argument, again, from the other side of the floor is not photo-radar but whether or not there should be a speed limit. I believe that most reasonable people would understand that there should be a speed limit and every measure should be taken to make sure that speed limit is enforced.

The Acting Speaker: This completes questions and/or comments. The member for Brampton South has two minutes in response.

Mr Callahan: I have listened carefully to all the members, and I thank you for your comments, particularly the member for Norfolk. I guess he's never sped. I still leave the question hanging out there: Who is going to say what the speed is that these cameras will be set at?

Mr Jamison: On a point of order, Mr Speaker: I'd like to just inform the member opposite that I do take my driving very seriously.

The Acting Speaker: That's not a point of order.

Mr Callahan: I should tell the members of the Legislature that the first thing the minister should do is go out and examine all the signs in this province, because I would venture to say that if you were stopped on the Don Valley Parkway I could get your charge dismissed because those signs are illegal. They have no kilometre tags on them. Most of the signs around this province have no kilometre tags on them. In fact, if you investigate the law, you'll find that those are not enforceable speed limits and you could have tickets thrown out all over this province. So the first thing I suggest you do is get your act in order and make sure that the signs that are up are lawful so that the people of this province will be protected.

1620

Finally, I have to say to you, Mr Minister, who is going to be doing the decision-making of what is the appropriate speed you can travel at in this province? Will it be the Legislature of Ontario or will it be the guy or lady behind the camera? Will they decide one day it will be 140, one day it will be 130, one day 120? Who's going to make that decision, Minister? I hope this is going out to committee, because I think you're going to find out an awful lot about your bill that doesn't make sense. Perhaps we can craft a decent bill that will be fair to everyone and perhaps ensure that safety is the first thing and not money.

ROYAL ASSENT

The Acting Speaker (Mr Noble Villeneuve): Before we proceed with further debate, I have an announcement to make. I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to certain bills in his office.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): The following is the title of the bill to which His Honour did assent:

Bill 17, An Act to provide for the Capital Investment Plan of the Government of Ontario and for certain other matters related to financial administration / *Projet de loi 17, Loi prévoyant le plan d'investissement du gouvernement de l'Ontario et concernant d'autres questions relatives à l'administration financière.*

Mr Chris Stockwell (Etobicoke West): Mr Speaker, on a point of order: Considering we had royal assent, there should at least be a quorum from the government.

The Acting Speaker: Do we have a quorum?

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present.

PROVINCIAL OFFENCES STATUTE LAW AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT DES LOIS EN CE QUI CONCERNE LES INFRACTIONS PROVINCIALES

Resuming the adjourned debate on the motion for second reading of Bill 47, An Act to amend certain Acts

in respect of the Administration of Justice / *Projet de loi 47, Loi modifiant certaines lois en ce qui concerne l'administration de la justice.*

The Acting Speaker: We can resume second reading debate on Bill 47. The honourable member for Markham.

Mr W. Donald Cousens (Markham): I haven't had a day on which I won to vote in the Legislature since September 6, 1990, when the New Democrats took power, and here is another one. We will bring forward our point of view, quite a different point of view from that of the government. Because the New Democrats have such a large majority and because their whips are so powerful, the likelihood of anyone on the other side of the House in the government changing their minds is extremely unlikely, because it hasn't happened in the last three years.

There's a sense of discouragement that I carry as I begin to discuss Bill 47. I know that all I can have is the satisfaction of having put on the record some of my concerns about this bill. I want to do so. It is my right, it is my obligation and I now look forward to doing it. But having said that, I just begin with such a sense of frustration, because there are so many people out there in the province of Ontario, when they elected their members to the Legislature, they thought things would be better. They had a euphoric feeling, "Now we've sent these people off to Queen's Park and they're going to do something for us." Well, I'll tell you what they're doing for them today. This government is in the process of passing yet another bill that is going to cost them more money. It's going to put them up against the wall even more. This is just another way for the government to shove it down the throats of the people of the province of Ontario.

There is nothing good about at least the part of the bill that I'm going to talk most about. There are parts of the bill that are good.

Mr Bradley: What parts? Name them.

Mr Cousens: Well, the Game and Fish Act: "No person shall use a vehicle or a vessel for the purpose of chasing, pursuing, worrying, molesting, killing, injuring or destroying any animal or bird." Now, that's good. I couldn't even do that word.

Mr Anthony Perruzza (Downsview): You didn't want to be in this picture, I'm telling you.

Mr Cousens: I know, but I'm concerned primarily with the photo-radar, when there are so many other issues that are confronting people in Ontario, where the government could be reducing its amount of spending, it could control its costs, it could eliminate fraud, it could do something about the underground economy. Instead, no, here we have Bill 47 as a way for the government to raise more money.

Why doesn't the government establish some sense of priority, do something in the areas where it can really contribute to the betterment and wellbeing of the province? Why don't we do something? If you're concerned about money, stop misappropriating and spending money in the wrong ways. Do something about the underground economy. Do something about the health card fraud. Do something about social assistance fraud. But, no, those

items have not been addressed. They're not faced up to. We are instead looking for another way of raking in more chips for the province of Ontario.

Photo-radar is the issue in this bill, among a number of other items, but the one issue that hurts me most is the intrusion on my own civil liberties. Every person has the right to face their accuser. I don't think there's anything more important than for a person who, when they're accused of something, can stand up and defend that right. Instead there will be, on the highways and byways of the province of Ontario, cameras taking a picture of your car as it goes down the road. If it's over the speed limit—and in this bill we don't get any indication of how much over the speed limit it has to be—it will take a photograph of that car, it'll show the licence, it'll give the time and it'll give the speed. Then, possibly a month later, the owner of the car—not necessarily the driver; the owner of the car—will receive a bill in the mail.

I can just tell you, Mr Speaker, though many people don't pay attention to what goes on in this Legislature, those of us in opposition see this as a tremendously large intrusion to the personal, private rights of people in this province. It's a removal of their civil liberties. It is wrong for the government to just say: "Hey, because we've got a picture, therefore you're going to pay. Then, if you don't pay, even though you may challenge it, your licence renewal will be obstructed."

This is a way of taking away our rights. It's a fundamental right of our society to protect yourself. You have no way of protecting yourself from this camera that'll be on the roads. It is a money-grabbing opportunity of this government; that's what it is. How much money are they going to raise? Who knows. It's a huge opportunity that the government is taking upon itself to raise funds, to raise money.

Does it act as a deterrent? Does this, as a way of having photo-radar, do anything to bring people to be more careful on the highways? I think not. The moment that you're just sending a bill out, it's just a way of punishing the poor. You're not coming along and improving the driving habits, because there's no point reduction. If you went and had a point allocated, as well as getting a ticket for speeding and having to pay that bill, and also had some points added to your system, then there'd be a way of making it happen.

I see this government as having sidestepped the fundamental issues that are important. Why doesn't the government begin to do something about the problems I see on the highway: tailgating? What are you going to do? You just have to drive down any of the parkways coming into Toronto—the 401, any major highway—and look at the infractions that people are carrying out. Are we doing anything about them? Not at all. This bill is only an attempt for the government to raise added revenues. Why don't we do something about tailgating?

Hon Mr Pouliot: You're sinister.

Mr Cousens: I am sinister. The honourable minister is correct, because to me—

Hon Mr Pouliot: You're imputing motives.

Mr Cousens: I am imputing motives; you are correct.

I am saying that, as a government, you are failing to really deal with the fundamental problems of what's going on on the highways today. What is being done about the people who drive at different speeds on the highways, those who are going too slow in the left-hand lane and slowing up traffic? What is being done to those who are the rapid lane changers who are coming in and out of traffic? Nothing. What is being done to increase our vigilance on impaired drivers? What are we doing about people who are hogging the left lane?

1630

There are numerous problems on our highways in the province of Ontario, but this bill does not begin to address them. All this bill is doing, along with some of the other factors that I've talked about with the Game and Fish Act and the tightening up of regulations, is another way for the government to raise funds. I'm saying that if the government really wants to do something to reduce the accident rate in the province, if the government is genuinely interested in helping people be more careful on the highways, then there are other things we can be doing.

What we could be doing, for a start, is having better training, having better education, having more frequent renewal of drivers' licences, having more consistent review of the safety of a car to see that it's really road-worthy. The only time it is really checked is when it changes hands. Should some of these cars that are on the road not be checked more frequently?

Why aren't we doing more to build highways? Some of those highways, where they are just two-lane highways, need to be widened. If we knew that the money coming from this new photo-radar collection system that the province is introducing was going towards the construction of more highways, then there might be some beauty to it. But that is not even a guarantee, because the money raised by this bill alone will go into the general treasury and will just disappear in the spending habits of the New Democratic government.

I'm convinced that this government really doesn't know what it's doing. The RCMP has done an assessment of the different kinds of devices that are used to photograph vehicles. Two of the common ones, Multanova and Gastometer, are two of the more common systems that are in use in other jurisdictions. The fact is that there is no guarantee they are accurate in giving the speed at which a car is travelling, so therefore how can you come along and bring in a bill like this and be certain it's even going to hold up in court? There are other questions yet to be answered.

I understand what the government's trying to do. The government is trying to raise money to carry on with all the other programs it has. If the government wants to do that, I'd say to start on something else first: Start by saving money rather than raising more money; start by looking at where you're already spending more than you need to be.

If you were to look carefully at the health card fraud, the Provincial Auditor has indicated that there's over \$750 million a year being lost through health card fraud. Let's do something about that. There is money that is

going to come off the deficit right away. Do something about the massive fraud on health cards in our province.

If you're going to be vigilant about drivers on the highway, why not be vigilant about those people who are in breach of the law with their health cards? One person recently had three health cards when she went into the emergency department of a hospital. Why have three cards? Why have a million more health cards in the province of Ontario than there are people? Can't you begin to deal with it?

Look at the companies in the private sector where they've got their own business cards; they're plastic and they've got systems that they have installed so they can protect those cards. There's a value to them. Is there not a value then to our own health card? The answer is fundamentally yes. Then why aren't we doing more to protect that little piece of plastic?

Mr Murdoch: It's an easier way to grab money.

Mr Cousens: Unfortunately, as my honourable friend says, it's just an easier way to grab money. Deal with the big issues. Unless this is going to be a big fund-raiser for the province of Ontario, I'm saying, come back and look at the issues that are already staring you in the face, the very issues that have to do fundamentally with health card fraud and social assistance fraud.

There is another example. Is there anyone going out now to find the number of people in the province of Ontario who are violating the systems in place for social assistance? Minimal. Have we really begun to touch on the number of people who are taking our system for a ride? I'm saying, instead of coming along and raising more money here—and that's what this is, just another way of raising funds for the province of Ontario—why not look at existing systems that need to be refined and improved?

It's painfully difficult, but as we in the province of Ontario have come to live in a way in which is possibly beyond our means, we are now at a point where the province has such spending habits that we have failed to live within our means for a long period of time, so the accumulated deficit for the province is something that future generations are going to have to pay.

This deficit that accumulates year after year—the government has said there will be a \$10-billion deficit this year; it is probably going to be closer to \$12 billion. People find it hard to imagine and describe what a \$12-billion debt amounts to. All I can tell you is that it's huge and is getting bigger. Unless we start living within our means, future generations will have to end up paying off our spending spree.

I'm looking for ways in which this government can be honest with itself. This is not an honest way of raising funds. It's not an honest way of dealing with the problems on the highways. It's not an honest way of dealing with the people of the province of Ontario.

Mr Murdoch: Would you say they're dishonest?

Mr Cousens: The Speaker is such an alert person that she would have me retracting that. So rather than challenge this very capable Speaker and be put in the position of calling the government dishonest, which I'd like to do,

I won't do that right now. There are ways in which I could say it, but it amounts to a form of being dishonest and I challenge the government to come clean on it.

I don't know where we can begin to deal with the issue. The government has heard excellent presentations by members of our caucus. In fact, I have listened to presentations by members of the Liberals as well. The Liberals, I think, are just jealous that they didn't think of this earlier when they were in power because they probably would have done this themselves. It's just another way of raising money. Don't ever forget the fact that the—

Mr Perruzza: Where are the Liberals? How come there are none here?

Mr Cousens: They don't want to hear me. The fact there are no Liberals here is no really serious reflection on them. I think the big thing I'm worried about with the Liberals has more to do with the way they raised taxes when they were in power and the fact that they're just jealous they didn't think of this idea first. They probably, themselves, would have liked to have seen this brought in earlier.

The province of Ontario has been a leader in this country for years on end. We have now become a leader in a way I don't want to be associated with. We're a leader in the collection of taxes. We're a leader in the way in which people are unemployed. We're a leader in the way in which this government is forcing more and more regulation on business. We're a leader in the way in which this government has closed down businesses. We're a leader in the way in which this government has not tried to work as partners with labour and business.

Here again we see the government setting up, in its own philosophical way, another straw person, and this straw person is going to be, "Hey, we will go and collect more money from you."

There isn't a person in this Legislature who doesn't on some occasion or another exceed the speed limit. There isn't one of us who doesn't at times realize that because of the flow of traffic we are having to keep pace with it; it would be unsafe to travel at that speed. Now what will happen is you'll just have that camera working overtime, clicking away, and at the same time it's like a cash register clicking more money into the coffers of the province of Ontario. A month later we'll get the bill and then we have to pay it.

Mr Perruzza: Is it okay when you get caught in a regular radar now, breaking the law, and you get fined? You would agree that's okay, right?

1640

Mr Cousens: I have not been stopped by radar for a very long period of time. The fact of the matter is that I've tried to become very much more careful in my driving habits. But the fact is that my car might well be driven by someone else when this ticket is assigned. It may be driven by someone I've lent the car to, someone who borrowed it; it may be stolen at that point; it may be a rental car that I'm responsible for. So at that point I am totally out of control with what's going to happen.

I myself will not be responsible for what happens, but

I'll end up having to pay for it. The way the system works, I personally will be liable for what someone else has done. That is not right. That's part of what I'm objecting to: a violation of my own personal rights.

To me it becomes a very simple form of justice. If I am responsible for something, then I want to be apprehended. I know that I have a responsibility for that. As this works, how can we be sure that the person who is truly responsible is going to be the one who learns the lesson? It's going to be the owner of the vehicle who receives the penalty. I don't think that helps anybody.

Why not face up to the opportunity that we as a province have and get on with some of the priorities that we as a province and country should be going after, not just coming out and saying, "We're going to raise more money here"? If you're concerned with speeders, then let's do something about the whole highway problem.

As we've looked at this bill, it is not really the solution. I don't know how we can stop the government from proceeding with this bill. The government has decided that it's going to do it, along with so many other bills that are before this House. It is their intent to bring in legislation and to have it passed. We may disagree with it. It may sound as if we're just trying to make a point that they don't understand.

I know that my colleague Mr Murdoch and others have sat back and understood that our civil liberties are at stake. The moment you come along and give us a ticket for something that we didn't necessarily do, you are indeed at that point violating our own human rights. We see this as a sick way of raising additional funds for the province of Ontario and we see this as having no real deterrent to those who are speeding on the highway. In fact, what it will do as much as anything is it will fine the poor people who may not necessarily be able to carry out their own livelihood by virtue of the way this is going to be assigned.

What is the economic impact of this going to be? Is this going to be another deterrent to tourism in the province of Ontario? Is this going to be another reason why people will say, when they look out from other provinces or states, "Why come to Ontario?" Is this going to be something that is highlighted in our tourist brochures: "Come to Ontario because we're going to have photo-radar"?

We have a war going on in the province of Ontario. It's more of a war with the government. The government has set itself up as the final judge and arbiter of all things. If there were a minority government in place right now, I can guarantee you that the government would not be proceeding with this bill. There would not be support from the other two parties. I've heard the Liberals at least say in public today that they're prepared to fight it, and I can assure you that our party would not support it. So there has to be some sense that can come forward that this government will begin to rethink its positions.

The Acting Speaker (Mrs Margaret H. Harrington): I'd just like to make sure that everyone realizes they will have time for questions and comments after this speaker is finished.

Mr Cousens: I thank you for the opportunity to raise these issues. I think there are issues on the highways that we want to see addressed. Certainly, this Bill 47 doesn't begin to touch on them. This is really only another way, under another name, for the government to raise more money. It's just another form of taxation.

I have to say it's too bad they have to do it this way. It's too bad they can't begin to address some of the other problems on the highways. We have Mothers Against Drunk Driving in my area genuinely concerned about doing things. I don't see this as being any help in that. I don't see this bill as being any assistance at all to stopping some of those people on the other highways who tailgate, speed at different levels, change lanes, hog lanes. There are so many other issues that could be addressed. Let's do something about the whole safety of driving. Let's do something about our highways. Let's not just do it by bringing in Bill 47 and photo-radar.

It is a violation of our human rights. I disagree with it fundamentally. I will vote against it and I just hope that some members of the government will begin to think for themselves and not allow the whip to just push them into voting for it when in fact they may think better of it.

The Acting Speaker: Now we have questions and/or comments.

Mr Perruzza: I'd just like to take my two minutes to respond very briefly to some of the arguments that were made by my honourable friend the member for Markham. It's really sad when we're talking about something as serious as safety on our highways—and we all know what happens on our highways. We all see the pictures and we see the faces, more often than not, of the families who suffer the consequences for people who get on the highways who will speed and will take the lives of both themselves and other people.

We can take this issue and, along with all of the other issues that government deals with—and my honourable friend challenged this when he said: "There are so many other things that are so pressing for this government to do and to be doing. Why are you dealing with this?"

While we deal with the substantive issues associated with the economy, we also have to deal with the issue of safety on our highways, and I think this will go some way to dealing with that very substantial problem. In my view, if it causes one individual—one, not a whole host of them—to slow down and not take the life of another, whether it be their own or someone else's, I ask the question, through you to my honourable friend: What is the life of an individual worth? What price would you put on that one life?

The Acting Speaker: The member's time has expired.

Mr Perruzza: I will ask him to take his two minutes to answer that question.

The Acting Speaker: Take your seat, please. Are there further questions and/or comments?

Mr David Johnson: I'd like to congratulate the member for Markham because, contrary to the previous speaker, I think he has raised several very pertinent issues to this House and he has asked about the effectiveness of the photo-radar. He has asked: Is this simply a way to

generate revenue or is this addressing a real concern?

Perhaps to strengthen his arguments, which I think stand on their own, I have the annual report of the Metropolitan Toronto Police. It's interesting. You may note that over the period from 1988 to 1992, total Criminal Code offences have increased each and every year, from some 246,000 in 1988 up to 310,000 in 1992. That's where there's a real problem, a real concern, that Criminal Code offences have increased each and every year.

I hear from the government: "Accidents, accidents. This is for safety. We're trying to promote safety." If you look at the number of accidents, they have actually decreased from 75,000 in 1988 to 57,000 in 1992, so the accidents have gone way down in Metropolitan Toronto. Look at the number of fatal accidents: 107 people died in 1988; 88 people died in 1992. Now, 88 people are 88 too many, but the number of fatal accidents has gone down in Metropolitan Toronto. Look at the number of injury accidents, persons injured per year: 1988, 18,000. It's gone down each and every year until in 1992 it's 11,500.

There again, and I think this is what the member for Markham is saying, this is purely a money grab, that we are improving the record of safety on our streets and we don't need the photo-radar. It's purely there to generate revenue.

The Acting Speaker: The member's time has expired. Further questions and/or comments? I recognize the member for Lambton.

1650

Mrs MacKinnon: Bill 47 is long, long overdue, very long overdue, as are the demerit points for not wearing a seatbelt.

I was really quite elated last week when I was around visiting in various municipalities. In Lambton county now they're all called mayors; we don't have any reeves. There were two who came to me and said, "Have you ever thought about putting in photo-radar?" Of course, I put a great big smile on my face, and I said, "We're already debating that in the House." They were quite happy about it.

I have not had a police officer, and I've talked to them too, tell me that they are not in favour of it. As a matter of fact, they do favour it because in Lambton county, as many of you know, it's a very, very rural riding and they will be only too happy not to have to travel the 402 which runs all through rural Lambton and go and use their efforts to better cause in the urban and the more heavily populated areas and the unpopulated areas of the 402. Put photo-radar on it and that's fine. They don't need to go there unless they're called for other reasons.

We've heard it for years and years and years. Speed kills. We see it every night on the news. Photo-radar, once you get your picture taken and you find out you've been speeding, you'll remember who was driving, you'll remember where you were and you'll pay your fine.

I hear talk about insurance rates. Maybe they'll be affected; maybe they won't. I think they should be, personally. Sometimes I wonder about my own insurance. It gets kind of heavy at times. In cases of excessive

speed, my hope would be that the fine would be so high that the person who was driving 150 kilometres, as the honourable member across the floor spoke about a little while ago, that driver wouldn't be able to drive again for at least a year—150 kilometres, I ask you.

The Acting Speaker: Further questions and or comments? I recognize the member for York Centre.

Mr Gregory S. Sorbara (York Centre): I'm going to have an opportunity to speak at more length, I think, on this marvellous project of the infamous Minister of Transportation perhaps later on today, but if not today, the next time that this bill appears on the order paper.

I don't want to get, at this point, into the details of the remarks that I'm going to be making, but I'll tell you one thing: The phone has not stopped ringing. The phone has not stopped in my constituency office. People stop me on the street and they say to me, "Are they really doing this?" They consider this little piece of nastiness, I say to my friend the consumer minister, kind of the *pièce de résistance*.

There are, I would suggest, to be conservative, perhaps 15 or 20 reasons in the minds of virtually every citizen of Ontario to vote against the government in the next general election, but this one, this photo-radar one, after the minister starts sending out his little taxation notices: "We saw you, two weeks ago, speeding on the 404 highway. Here's a bill for \$150." That will be the *pièce de résistance*. If for no other reason, if they loved the social contract, if they loved the turnabout on auto insurance, if they loved every other miserable little action of this NDP government, I'll tell you something: They will rely on the Minister of Transportation's little revenue grab as good enough to send these scoundrels out of office in about 18 months, and frankly, I can't wait.

The Acting Speaker: The member for Markham now has two minutes to respond.

Mr Cousens: I do thank other honourable members for their comments, and in particular the member for Don Mills and his experience from being mayor of East York—

Interjections.

Mr Cousens: I'm coming to my honourable friend. But his experience certainly highlights some of the experiences within Metropolitan Toronto and I think further confirms the position I was trying to make. So I thank him for his remarks.

The one thing that Mr Sorbara said, though, is when he, in the middle of his statement, says, "to be conservative." I thought that was really something that I'd like to see more in that honourable member from York Centre. But the fact is the people in York region, and I share adjoining ridings to Mr Sorbara, are very much as he describes them. I don't think I gave enough time to that in my comments.

They're really upset at this whole issue and I haven't talked to anyone in my riding, unlike the member for Lambton, where people are saying they really support it. So maybe you're talking to a different kind of person than Mr Sorbara and I are talking to in York region. I would say it's not something you're going to want to put

in your brochures for your next election campaign, because the people there are going to be saying this is just another tax grab on the part of you and Mr Rae and his government.

I have to chuckle at the member for Downsview. The member for Downsview is one of the most entertaining of all members in the House, and when he stands up and starts to ramble as he did, it always makes me feel that there's hope for the New Democrats. He at least has a point of view and he expresses it well, but he doesn't understand the situation. I have to believe that the New Democrats have failed to appreciate the anger the people of the province of Ontario have on this issue. It really epitomizes how this government is more interested in raising money than it is in trying to solve the problems that it has. I think you're going to be judged harshly for it.

The Acting Speaker: Are there further members who wish to participate in this debate? I recognize the Minister of Transportation.

Hon Mr Pouliot: Madam, I thank you very kindly. It's always a difficult issue, and I'm sure that you will share in the impasse, in the dilemma. Hence the hesitation before embarking on what the government, on what this side of the House, sees as an opportunity, an obligation, one could say, to do what's right in terms of a safety agenda.

What is being introduced under the auspices of photo-radar is not a catalyst when we're referring to safety, yet it is an important component in our battle, in our constant efforts, people who are focused will say "in our war," to make Ontario highways, the roads in this province, the 23,000 kilometres of highways, add to it the 3,000 bridges and those connecting lanes, the safest not only in Canada but in North America.

The record of Transportation Ontario is not immaculate. We all know only too well of the catastrophes, of the calamities of victims, loved ones who have lost their lives, of the \$9 billion—although it is secondary indeed; the human dimension comes first—that it costs Ontarians. But the human cost, Madam, and if you had that opportunity—and you're an educated person—in your capacity here, with respect, you must, however, after chairing all those debates, know who's telling the truth. I don't wish to impute motives on other members. It would mean that I have a monopoly, that I feel I am right, and my opinion is open to question. That's the exercise in which we partake. More importantly, suffice it, our record is one of constant improvement.

You will recall when the government of Ontario made it compulsory, made it mandatory, made it the law of the land here in Ontario to wear a safety belt inside a vehicle. Do you recall? Because I do so vividly. I've screened Hansard and I remember almost verbatim what was said. Questions were raised: Was it picking the pockets of people? Was it a revenue situation? What about restrictions, what about people who were perhaps obese, people who had a weight problem? The arguments went on and on and on and on. In the meantime, the focus remained of the obligation of the government of the day, today the third party, to do what was right, to go forward, yes, to

answer the questions, but to go forward.

1700

Today we have a rate of compliance of 84%. You have 6.5 million motorists in the province of Ontario. Those are Ontarians with a licence in good standing. They pay handsomely, they pay dearly for the privilege. Our obligation is to recognize their rights to access the privilege, to make sure that we're reasonable and consistent in our approach. But coupled with that opportunity is also the onus, the obligation as a driver to follow the rules of the exercise, the obligation that you have as a driver. One of those rules is that you must buckle up because it saves your life, it saves the lives of others, "in case of."

Eighty-four per cent of Ontarians are now complying. Remember, there are 6.5 million people in our province with a licence in good standing, seven million cars and recreational vehicles and hundreds of thousands of commercial vehicles. Two years ago, 73% of people in Ontario wore their seatbelts. We're now up to 84%—11% more in two years. Our fatality rates are going down, partly because of the adherence, partly because people choose, as a style, to wear their safety belts.

You have three jurisdictions where, if you don't wear your safety belt, you lose points off your licence. You start from the premise of 15. Starting January 1 in Ontario, if you get caught—

Mr Sorbara: On a point of order, Madam Speaker: I am sorry to interrupt the minister on this point of order but I think it's necessary to bring to your attention this following breach of the traditional orders of this House. The minister is participating in a debate—

Hon Mr Pouliot: Madam Speaker, he's taking my time.

Mr Sorbara: The minister doesn't appear to be listening to the point of order.

We have just been advised that notwithstanding that many members in this Legislature want to speak and oppose this bill on behalf of the people we represent right around the province because we believe it to be bad legislation, the minister has just brought in a time allocation motion which will prohibit members from speaking and arguing against this draconian, fascist measure.

Interjection: What's that language? That is unparliamentary.

The Acting Speaker: That is not a point of order. Everything is in order. I would ask the minister to proceed with his comments.

Mr David Turnbull (York Mills): On the same point of order, Madam Speaker: It is the tradition of this House that the members should be allowed to debate an issue fully. The fact is that the government has brought forward, once again, time allocation, which it has done successively on so many pieces of legislation in the past. For the Minister of Transportation to be coming forward and taking up the time is inappropriate.

The Acting Speaker: Thank you to the member for York Mills. This is not a point of order. Nothing is out of order. I would ask the minister to proceed with his comments.

Mr Jamison: Madam Speaker, on a point of order: It's become obvious that the minister has had a goodly amount of his time reduced by these interruptions. I would ask that some time be put back on.

The Acting Speaker: I would like the minister to resume his comments. The member for Grey, do you have a point of order?

Mr Murdoch: First of all, my riding's Grey-Owen Sound, Madam Speaker, and I think this is a point of order: I don't believe there's a quorum in the House to even listen to the minister.

The Acting Speaker: I would ask the clerk to see if there is a quorum present.

Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Senior Clerk Assistant and Clerk of Journals: A quorum is now present, Speaker.

The Acting Speaker: Would the minister continue his remarks.

Hon Mr Pouliot: I will. I thank you again.

Mr Sorbara: Explain why you brought in time allocation. Cut the nonsense. Cut the gibberish. Tell us why you brought it in.

The Acting Speaker: The member for York Centre, please come to order.

Mr Sorbara: I would like to know why you brought in time allocation. That's what I'd like to know.

The Acting Speaker: Order.

Mr Sorbara: Explain that. This is the debate. That's the real issue. You don't want to debate in here any more.

The Acting Speaker: Will the member for York Centre come to order. The minister has the floor.

Hon Mr Pouliot: Thank you very much, Madam Speaker. The member for York Centre persists in raising his voice, and hopefully in vain. With respect, Madam Speaker, he has made a remark that I cannot let by even with any degree of tolerance, good understanding among members that characterizes more often than not this Assembly, and that is the remark where the member said that the minister was bringing forward, was sponsoring a fascist piece of legislation. None of us here is fascist. As the minister of the crown responsible for Transportation, I would like you to examine the records, and I think the member for York Centre should have the courage, and I know he has, as an honourable member, to issue to you, of course, first and foremost, his apologies for the unfortunate word "fascist."

Going back to the focus, to what we have here, we still have fully 1,100 people in the year 1992, last year, 1,100 Ontarians who lost their lives on Ontario's roads; 90,000 were injured. Those are significant numbers. It's better than the year before, it's better than it's been for the past eight to 10 years, but you still have 90,000 people who were hurt and 1,100 people who were killed, from all walks of life. It could have been the toddler, the little one; it could have been the senior citizen. No one is immune, not only because you might be the one who

initiates, who causes the accident, but because you could be the victim.

One out of six, more than 150 people in one year in Ontario, were killed because speed kills.

Interjection.

The Acting Speaker: Will the member for Grey-Owen Sound come to order.

Hon Mr Pouliot: That's the reason why they died. That's what the police report says. That cannot be questioned. You've seen them; you've heard about them. Picture this. We'll do it together. Friday night on Highway 401 between 9 pm and 2 am and repeated on Saturday night, 9 pm to 3 am. You're in the centre lane. You're going back to the privacy and comfort of your home after a visit to family members in the suburbs, and what is it you see in the left lane? You're going 100 kilometres an hour, for it is posted. You're a law-abiding citizen. It's at night.

1710

Mr Sorbara: The province has been in the left-hand lane three years too long.

The Acting Speaker: Order. I have warned the member for York Centre that the Minister of Transportation has the floor and I would like to be able to hear his remarks. If he has comments, he may make them afterwards. I have now warned you and I just want to make sure you understand. Would the minister continue.

Hon Mr Pouliot: Thank you again, Madam Speaker.

They just whiz by at 140 at times, at 150. Some have been clocked at 160, 165 kilometres on those machines. We as the government have to say—well, we're going to a safety belt. You must wear your safety belt. That goes some ways. You will have a graduated driver's licence so people will be more responsible.

Mr Bradley: That's good.

Hon Mr Pouliot: That's good. You already have a radar system in place with those women and those men in blue. You have speed limits. People get caught for speeding. That's okay. We're not soft on crime. The government is determined. We know what we're doing.

Some 1,100 people lose their lives. The insurance premiums are high; we're trying to reduce it. We have an obligation to the 6.5 million licensees.

In Calgary, it's worked so well that it's now going to Edmonton. They had the same problems in California. California has more people than the whole of Canada. They have photo-radar in place. Have we heard members of the opposition say what is being done in California is a tax grab, what is being done in England is a tax grab, what is being done in New Zealand is a tax grab, in all the Scandinavian countries is a tax grab? We haven't heard that. It becomes a safety issue when it's done elsewhere, but when the New Democratic Party takes the same responsibility, it becomes a tax grab. You have to be reasonable and consistent in your argument.

The police say it's right. You will adhere to the most advanced technology. Things change. This is not punitive action. One thing that will not change is that if you're within the speed limit, you will never be charged. If you

exceed, if you surpass, today you may be charged. Under our pilot project, you may be charged. It's really no big difference to what is already taking place. The government of Ontario will not be inside the cruisers. The government of Ontario knows the difference between legislation and the work of the police. We shall operate at arm's length.

Remember those women and those men in blue, those people who dedicate their lives to the enforcement of statutes, of the laws in our province and elsewhere? Well, they will be responsible for monitoring compliance. Of course, and that's a foolproof prediction, you will see less people at the trauma unit at Sunnybrook on Friday night and Saturday night. You will see less people on the 401 going straight from the car to the bag, being dead, dead, dead. You will see less of that. You will see less people being cheated out of a life of aspirations, dreams and realization, because speed kills.

That's the focus here. It's a pilot project. We will iron out the bugs, but for sure there will be fewer fatalities with the introduction of not a catalyst but photo-radar. It will remind people not to speed.

People have said: "Well, what about the driver? I'm the owner of the car. My son or daughter"—in my case hypothetical, but in most cases real. Wouldn't you wish to know if you had a son, a daughter, a spouse to whom you lend your car and they're going 150, 125, at excessive speed? Wouldn't you wish to know that they're doing it? How many people does that entail? How many times do we lend our car? Look at it individually. We can't answer that, of course, but let's do it. How many people have driven my car in the last year?

Interjections.

Hon Mr Pouliot: My spouse, Suzanne, has driven the car. We're co-owners. I'm a person of moderate means, so we're co-owners of the car.

Mr Murdoch: Do you know where your car is now?

The Acting Speaker: The member for Grey-Owen Sound, come to order.

Hon Mr Pouliot: I am not aware of anyone else. If I would lend it to friends, they're responsible people. They have the means. They all have a small car. They all have a car or a truck where I live, so there's really no need. The same circumstances apply to pretty well most of us.

What I have some difficulty understanding—and if you say it often enough, sometimes you end up believing it. If you see harmful intent in people, ulterior motives in people, sometimes you lose focus. We've been accused left and right—and I shouldn't be defensive, for I'm very proud of this legislation—of going to pick the pockets of people. There hasn't been one member of the opposition who went this far—because it's their party line; they get their marching orders—to say: "What if it were true, all this? What if there was nothing devious about this? What if it was not a tax grab? What if they really care?"

Nobody has a monopoly. Caring is not a cartel; it belongs to each and every one. But if you have an opportunity that exists, modern technology that will make the system better without infringing on the rights of people, and if you see that opportunity pass and you

don't seize it when it does, then it is far worse, far worse indeed, than accusations, than the shouting from members of the opposition and the third party, for it is their right in this Legislature; far worse, because then you have to live, and in some cases you begin to die a little bit. You say, "I haven't done my job."

But if you know that you have seized every opportunity, not to restrict people, oh, no, but to make the system a little better each and every time—it's called evolution. It's going from the horse and buggy to the modern age. You must seize each and every opportunity, and you must stand. Oh, sure, you get bruised, but what's more important? Some 1,100 Ontarians lost their lives. One sixth of it was caused by excessive speed, whether we like it or not. We don't like it. It's not a carnage; it's a calamity.

I can recall vividly some accidents that would not have happened if we had adherence to safety components. I read the results of inquiries. I was appalled and shocked in fact when I heard, and for months after until the inquiry and the recommendations reached us, vis-à-vis the Caledon accident on that fateful Saturday night when a car was passed going on top of the hill and—bang—the collision.

I just said to myself, when I was awakened by one of our MTO persons telling me about the aspects of that tragedy when eight young Ontarians lost their lives, that when they saw the other car for that second or two, they must have all begun to die a little, although the reports said the end came very suddenly; the force of impact was sufficient to ensure that.

1720

I would be the first one to—maybe not the first one—but in my humble capacity as minister, and I say this with all the sincerity at my command: If I really felt it's more important that this was a tax grab, a way to pick the pockets of people under the auspices, under the guise, of speeding, that it's going to make a switch as a government—my God, I don't need it that much, you see. I don't need it that much. I believe in this as a component, no more, no less, in making the roads of Ontario the safest roads. Every place where photo-radar has been in force, each and every jurisdiction—I've talked about Victoria, Australia, I've talked about Calgary, I've mentioned England—

Interjection: Germany.

Hon Mr Pouliot: —Germany, thank you; the Scandinavian countries, New Zealand, and each and every place it proved to be a deterrent. It did not completely eliminate excesses in speeding, but it was a significant deterrent. We have laws that are in place now, we have the monitoring of compliance; modern technology will make it that much better.

I want to thank you for the opportunity, Madam Speaker. I wish to thank members of the opposition and, just as importantly indeed, members of our caucus; in fact, all members who have listened intently to the debate. We have struck a good balance. It's important and this Bill 47 recognizes the importance for balance under its equilibrium. It's found in the compendium, in the spirit, in the intent, of what we are proposing and

what we are debating at second reading. I'm proud to be associated with this project and I thank you indeed for allowing me the time to speak this afternoon.

The Acting Speaker: Thank you. Questions and/or comments? The member for York Centre.

Mr Sorbara: Madam Speaker, I'm glad you have given me an opportunity to speak; you almost threw me out, I was so enraged at the tone of the member's speech. The minister used to be a great democrat, but in the midst of his heart-rending speech about what a great project this is, we get notice over here that there will be no more debate on this subject. This is it; notwithstanding that I've had at least two dozen calls in my constituency office from people saying, "Please oppose this thing strenuously." And the great New Democrats, who are neither new nor democratic, simply advise us that: "Friends, the debate is over. We're bringing in time allocation; it's all over." Do you know why that is? Because the minister and his friend the Treasurer, the Minister of Finance, want the revenue.

I'll tell you what: As I said earlier, I just can't wait for the minister to get his way. We know one thing for sure: It's not going to improve safety on our roads; not one iota. Notwithstanding all the heart-rending words—I think I almost detected a tear emanating from the minister's eyes as he passionately pleaded for this new and marvelous way of enhancing safety on the road. The minister should give us a break. I mean, we can't tolerate this horse doo-doo from a minister who should know better. This is money in the bank for the government but, frankly, as far as the people are concerned, this is it. As I said earlier, if there is no other reason to vote these scoundrels, these imbeciles, out of office, when the bills start coming in—I can just see it: You open up the mail and you find that three weeks ago on Highway 401 you were going over 120 and you got a bill for \$150. Boy oh boy, that'll give me reason enough to vote against these guys.

Mr Turnbull: Today we have a rather interesting turn of events. Time allocation has been brought in on this particular bill by the government, a bill which is highly controversial. Quite frankly, I have never received as much correspondence on a bill as I have received on this particular one. I have spoken specifically in the House against this bill and the ways in which, if they were going to implement it, at least it would be fairer.

The minister comes forward after time allocation has been laid down before us and takes up the time of other members. The minister's completely in control of the agenda, and yet he is taking up the time of the members of the opposition in debating this. We are charged with representing the view of the people who don't agree with the NDP. Yet this minister comes in, speaks using our time, and not only that, absolutely, utterly refuses to address the main points which I brought—I am the Transportation critic for our party—refuses to respond to the specific allegations I made.

This is a revenue grab. If it isn't, you would have responded to my challenge that if it wasn't a revenue grab then at least you could dedicate all of the extra funds to the police forces for extra safety enforcement.

Instead, you have ignored that. That is the acid test by which you can prove this.

Also, I have suggested that in Sun City in Arizona you're allowed to make a deposition as to who was the driver, and then that driver will be charged as opposed to the owner of the car. You've absolutely ignored, in your remarks, any of the references which I made in my debate.

Minister, I know you've got a big enough staff to know exactly what I said as our opposition critic. You have not responded to it. I expect an answer today, sir.

Mr Allan K. McLean (Simcoe East): I wanted to comment briefly on some of the remarks made by the minister and also some of the remarks from other colleagues within this Legislature.

This is one bill that I've had a tremendous amount of calls and letters and complaints about in my riding. When you look at the aspects of this bill with regard to photo-radar, and to be able to allow the police and the radar system to work against what we call justice, where are the rights of the people with regard to this bill?

The minister didn't indicate, when he was talking about how safe it would be, about the speed limit in Germany, about the speed limit in other countries, about the speed limits in other jurisdictions. The minister has not indicated how he expects this bill to work, other than it's a great tax grab that this government wants. It's dollars that they want. I've seen the financial report for the third quarter, out today, that indicates a bigger deficit than what they anticipated. So I can see that it's nothing but a money grab.

I'm surprised that the minister would bring in a bill and bring in closure to limit debate on such a very important piece of legislation. This has gone on in other bills. I noticed what went on in the Legislature today with the questions that were asked of the Premier. The Premier does not want to answer the questions; he refers them. I know the Premier is going to get some questions with regard to this bill. I have seen letters to the editor. I have seen many write-ups in the paper with regard to the photo-radar legislation. It's nothing but a tax grab, and the minister knows it.

The Acting Speaker: Further questions and/or comments?

Mr Sorbara: Etobicoke West was first.

The Acting Speaker: The member for Essex-Kent.

Mr Pat Hayes (Essex-Kent): We're going around. We're trying to be fair to everybody.

I would certainly like to congratulate the Minister of Transportation for his comments on this particular bill and also for taking the initiative to look at ways and means of reducing fatalities and accidents on the highways.

This debate reminds me a little bit of the debate when we talked about the seatbelt issue, when people talked about invading their rights and not giving them their choice as to wearing a seatbelt or not. But the bottom line is just like this legislation: This legislation will reduce fatalities on our highways, just like the minister has said.

1730

Mr Stockwell: That's absolutely nuts. If you don't wear a seatbelt, you get a ticket. If you speed, the licence plate gets the ticket.

The Acting Speaker: Order.

Mr Hayes: I was just thinking of another method of reducing the speed on our highways. This photo-radar is nothing new, because we've had the aircraft patrol with the cameras for many years in this province.

Mr Stockwell: Come on, get a grip. They pull you over.

The Acting Speaker: Will the member for Etobicoke West come to order.

Mr Hayes: The bottom line is that these people are talking about this being nothing but a tax grab, but I'm sure if we sat down and looked at the figures, the cost of the aircraft patrol, for example, it would cost the taxpayers a lot more money than what is happening here.

Just like the minister has said, he's spoken to the police, I've spoken to some Ontario Provincial Police and I'm not going to get up here and say they think this is the greatest thing and this is the total answer, but what the police officers have told me is that whatever you can do to reduce accidents and fatalities in this province is good.

The Acting Speaker: The minister now has two minutes to respond.

Mr Sorbara: He's had about 16 months to represent his community. How could you do this to your—

The Acting Speaker: Order. You will have time to respond.

Hon Mr Pouliot: I welcome comments from the members. A very valid point was raised by the critic for the third party, the Progressive Conservatives, inasmuch that with the gadgetry, if you wish, of the system that is proposed, you don't have the ability, period, of getting the camera inside the vehicle. Therefore it becomes impossible to make a foolproof judgement on who is driving, C or E. That's logical; that's common sense. We should all understand this.

This is a pilot project and the system will get better and we will have more ability to respond to your question directly. I take the point very seriously and I commend you for it. You're the first one, to my knowledge, who has mentioned it. We will be working on it to make sure we don't have court challenge after court challenge after court challenge. But we need to introduce and to integrate the technology that will give us that flexibility and that exactitude, for it is important.

I again wish to thank all members. We've had more than ample opportunity. This debate has gone on for a long, long time. I've taken a few minutes of the precious time of this House, no more, and I've listened intently to everything that everyone had to say. It is my understanding that the majority of interested parties have had more than ample opportunity to voice their opinions, which is always welcome as I respect them and their opinions, of course.

The Acting Speaker (Mr Noble Villeneuve): Further

debate?

Mr Bradley: I regret very much that unfortunately, because of the rules which were imposed on this House by Premier Rae in June of last year, the members of the Legislature will be severely restricted in their ability to bring to this House the viewpoints of their constituents and the appropriate arguments when legislation is before the House. As a result, this particular debate on this piece of legislation is being terminated by the Premier of the province of Ontario by imposing closure on this House, restriction on the debate.

It's interesting to note that a bill that is this controversial will be allowed to have only two days in a committee of the Legislature and one day in committee of the whole within this House. So there are severe restrictions, and there are many people, I'm sure, on all sides of the House who would like to have expressed their views on this piece of legislation. I regret that very much, but it doesn't surprise me.

The government uses the hammer whenever it has problems with any of its legislation, particularly when it's of a controversial nature, but it does not enhance the legislative system and it does not enhance the role of our constituents who have only one person to speak for them; that is, the person they elected to the House. They can't vote for the Premier's staff. They can't vote for the civil service. They can't vote for all the special-interest groups that speak to the Premier's office. But they can, through their member, have access to debate in this Legislature.

I also note that despite the controversy of this bill, there will be no provision for any public input by public hearings of the Legislature. I would have thought that at least the government would want to hear those arguments before proceeding with the bill, which by the way contains more than photo-radar; it contains some other measures which are quite concerning to me.

The purpose of the bill, clearly in my mind, on the part of the government is to raise funds. It is a ruse to have the Minister of Transportation carrying this bill, introducing this bill into the Legislature. It is clearly a bill on behalf of the Treasurer. This government is cash-strapped. It is chasing business out of this province. We have plant closings going on. They are absolutely desperate for money and so they're going to bleed it out of the constituents we represent in one way or another. This bill represents one measure which will in fact bleed money out of our constituents, and do it unknowingly to those constituents, until a few weeks later when they receive a letter from Big Brother through the mail saying that they have violated the laws of the province.

I would say that it would be an isolated incident, except we've seen many examples of this. The Ministry of Transportation, for instance, is a place where you'd find this happening. It is my understanding that the ministry now wants to go to a system where people would pay their licences five years ahead. That's so they can gather all the money now to meet their financial crisis and leave whatever government follows them—because surely there will be another government—with no revenue left.

Mr Stockwell: They're doing it.

Mr Bradley: My friend from Etobicoke West convinces me that in fact they are doing it. That's exactly what's happening at this time.

This just follows on. It should not be a surprise to anybody that this government is bringing in a revenue bill. This is what you call a cash cow. The police know it; the government knows it; the civil service knows it; the advisers to the government know it. The people of this province, when they start receiving the bills through the mail, are going to know it and are going to let their members know about it.

We've disguised this piece of legislation, which is a revenue bill, as a so-called safety bill. There are many safety provisions that could be dealt with by this government that I think would find pretty universal support among the electorate and certainly among members of this House.

For instance, I think members of this House generally agree with some form of graduated licensing. There are some problems with the bill, but there have been hearings. Those hearings have been very helpful because people, particularly from the rural part of the province, have indicated what some of the problems would be for new drivers in areas that aren't urban, where there isn't access to public transportation, for instance.

I think that by hearing some of the flaws that might be in a bill, the government can make changes and perhaps get support. For instance, the opposition parties might have been opposed to graduated licensing at the beginning. If the necessary changes are made, you may see some consensus among members of the Legislature in this regard.

I come back to the fact that we won't have a chance. My friend the member for York North, who wanted to deliver an impassioned speech on this, will be prevented from doing so by Bob Rae's rules. The only thing I regret is that my good friends in the Progressive Conservative Party voted for those rule changes. It must have been disconcerting to many members of the Conservative Party who recognized why this would be draconian legislation to see that their party leader, Mike Harris, talked them into voting for it.

I think the two members here would be the kind of members who would recognize that. The member for Leeds-Grenville is a member who has been in the House a long time. He respects the House; he respects those kinds of things. The member for Etobicoke West is one of the smartest politicians in the urban sense that I know; the member for Grey-Owen Sound, an individual who certainly is cognizant of those things political. They know how wrong it was to vote for that particular legislation. However, be that as it may, we must allow our friends to the political right to make those decisions as they see fit.

There will be a termination of this debate. My friend from Lincoln is here. He might have wanted to defend this bill or he might have wanted to point out some of the disadvantages. He doesn't get the opportunity to do so now. I am here to fight for my friend the member for Lincoln, or the member for Brantford who is here, the Minister of Consumer and Commercial Relations, others who might well have wanted to—

1740

Mr Sorbara: His office is at the Eaton Centre.

Mr Bradley: Well, my colleague tells me that the Ministry of Consumer and Commercial Relations is moving to the Eaton Centre—

Mr Sorbara: Brand-new offices.

Mr Bradley: —to brand-new and newly decorated offices. Perhaps that's why the government needs the money that will be emanating from this particular piece of legislation.

Now, I believe that if the government had wanted to address its funding problems, instead of imposing this legislation on the House, it would've eliminated all the polling. I remember Bob Rae, the Premier of this province, making impassioned speeches in this House, directing questions to the government of the day, be it Conservative or Liberal, expressing his disgust with the fact that the government would be spending money on polls to tell the government what it thinks. I can remember the days when the NDP knew what it stood for and didn't have to take a poll to see which puff of wind was blowing in which direction before it could move in one direction or another.

Or self-serving advertising that we used to see: I can well recall some advertising from the Conservative Party that was: "Life is good, Ontario. Preserve it. Conserve it." "Preserve," "conserve"—very close to Conservative.

Today, I know my friend the member for Etobicoke West would be opposed to that kind of nonsense, because he's a new member of the Conservative Party. But we're seeing the same kind of advertising take place with this government, at the public expense and, of course, of a self-serving nature.

Perhaps they could eliminate the construction of the WCB building, which is not needed. Or they could quit giving grants to their left-leaning friends who simply support them in one way or another by getting grants from the government. Those are some of the ways they could in fact eliminate some of the waste around here.

It is obvious then that the government is desperate, because business is fleeing from Ontario, because plants are closing down, because few people want to invest here unless they're getting a handout from the government. So what do they do? They come in with measures that one would never expect an NDP government to bring forward.

They have casino gambling, which the NDP in its lifetime opposed. Stanley Knowles, who sits at the table in the federal House, must shake—by the way, he's only one of 10 New Democrats who can now sit in that House, and not as an elected member, but at the table as a guest of the House—and must shudder when he sees such things as casino gambling.

Now we have photo-radar following on. No wonder my friend the member for Welland-Thorold of years gone by is calling for the resignation of the Premier of this province.

What this reminds me of is a concentration of police efforts on areas where they're not as important as other areas. For instance, I can recall the other night seeing

police officers out putting tickets on vehicles on side streets at 9 o'clock at night. I commented to one of them at the time that I didn't think that was a particularly good use of police officers' time when there's crime to be fought. I strongly support our police officers in their fighting of crime and I don't think they should be diverted from it through this kind of nonsense.

There's a concern about electronic surveillance. Can members of this House wonder what it would be like if in fact another government were bringing in legislation which would permit or call for electronic surveillance of people in the workplace? There would be a revolution taking place in this House.

In a very wonderful publication, Labour 1993, published by the St Catharines and District Labour Council, Karen Nussbaum, who is the president of SEIU Local 925, wrote an article which says: "High-Tech Snooping—Electronic Surveillance in the Workplace." She makes some compelling arguments as to why it is dangerous when you have this kind of electronic surveillance that the government is now embarking upon through this bill. Let me quote a bit here:

"Electronic Spying Leads to Stress Award.

"The CAW won a recent appeal in Quebec that resulted in benefits to an Air Canada reservations employee who is off work on a stress-related illness caused by harassment by her supervisor. The CAW argued that using electronic monitoring and measuring equipment was harassment."

Indeed, I think a lot of people in this province would agree and would apply the logic contained in this particular ruling to the legislation the government is bringing forward.

There are many arguments that are made here against electronic surveillance. You have to be consistent on the other side of this House. You can't say, "Well, it's okay for this but it's not okay for that." Electronic surveillance is electronic surveillance, and I think the Information and Privacy Commissioner brought out a report a couple of weeks ago where he expressed some concern about that as well.

The other concern I have about this legislation is that the electronic monitoring and photo-radar are aimed at the vehicle as opposed to the driver. I think there's a recognition that it's the driver who should pay the penalty, that it's the driver who should be lectured by the police officer for committing the crime and not someone who happens to own the vehicle. Yes, one can make the argument that there will be a secondary admonishment of that particular person, but I think it takes it a step away, makes it less effective and is unfair when the ticket comes to the person who is the owner of that vehicle.

I know those who own car rental agencies, for instance, and those who own businesses where the vehicle is driven by someone else are going to be unfairly impacted by this legislation. But what is particularly disturbing, particularly from an NDP government, though the more I watch it in action, the more it appears like a Reform Party government in many of its provisions. My friend from York North says, "No matter how we vote,

we get a Tory government in Ontario."

Mr Murray J. Elston (Bruce): York Centre.

Mr Bradley: But here we have a piece of legislation which gives a licence to rich people to speed. In other words, since there are no points taken off, since there is not a direct impact, my understanding is, on insurance rates as a result of this, that means the more money you've got, the more chance you have to speed with virtual impunity, the only penalty being a financial penalty.

So the party which supposedly represents the under-represented, represents those who in society have modest incomes, is a party that is again socking it to those in the lower-, moderate- and middle-income field and allowing the rich to be able to speed while the poor have a different rule applied. I would expect that of perhaps another political party much to the right of everyone, but I would not expect that of an NDP government.

We also know that the effect on insurance and the effect on demerit points are a far greater influence on most drivers than simply the fine. That's what gets me back to the fact that it is a cash cow, that what this government is really interested in is the money it can derive from this, because socking it to people on demerit points is effective—I would say most people would agree with that—and of course nobody wants to pay significantly higher insurance rates, so that can be a significant factor.

There's something else about this. People in this province have to know that all money goes into the consolidated revenue fund. This isn't going back to drivers; this isn't going back to roads; this isn't going back to anything to do with running the Ministry of Transportation; it is going into the consolidated revenue fund to be squandered by the government in whatever way it sees fit or to be spent, if one wants to be positive about it, on things other than anything to do with the Transportation ministry, and that's what one has—

Interjection: Tires.

Mr Bradley: Exactly. Any tax, any charge that comes in, goes into the consolidated revenue fund. I caution the government, which was so opposed to this in past days, to be opposed to it again today.

There are some things that have to be addressed on the highways. One is the dangerous driving. What we have to do is get the dangerous drivers off the road. These are people, for instance, who are switching lanes incessantly in very narrow opportunities. If you watch them go down the highway, they go from lane to lane to lane, wreaking havoc on the highway.

A second group of people are those who are tailgating, getting right up behind the car in front of them and putting themselves and others in a very dangerous situation. Those are people who deserve to be appropriately dealt with by the authorities. They are driving in a dangerous fashion.

But if you can tell me that at 12 o'clock midnight, when there are no cars on the road on some two-lane highway in rural Ontario, you have to have a photo-radar sitting there to catch people going, instead of 80 kilo-

metres, 90 or 95 kilometres in those circumstances, then I think you're really looking for money. Also, I think the police have an opportunity to chase those in dangerous situations, bad weather conditions, for instance, or construction areas, who are violating the law. Those again are the kinds of people who should be ticketed.

1750

There's another group out there that a lot of people don't like to mention, but they're called the left-lane bandits. These are people who get out in the left lane of the highway and poke along and encourage people to be passing them on the right, people to be passing them on the left, people to be passing them in the centre lane, yet there doesn't seem to be any provision to deal with those people.

I'm not suggesting there aren't areas that have to be addressed. In fact, the government is bringing forward some measures, as previous governments have, to try to enhance safety. For instance, I mention their significant support for some form of graduated licensing so that new drivers have tougher provisions on them as they learn how to drive. They develop better habits. They're often younger drivers who are impressionable and want to impress others with certain things they do in their vehicles. I think when you went around the province, you found some pretty good support. I think you found on this side of the House and that side of the House a pretty good consensus that there was a need for a form of graduated licensing in this province. That's something that will certainly be an improvement.

There is support today, and I think there always has been, strong support, for the wearing of seatbelts and the new seats they have for young children in vehicles. That's a safety measure that I think there's a pretty good consensus for in terms of support.

I think there's support for better-constructed vehicles, when you have air bags in them, the new kinds of restraints that are there, the new ways in which vehicles are constructed. When governments, particularly at the federal level, compel these safety measures, there is good support. Even though in some cases it costs a little more for the vehicle, people tend to support those kinds of safety measures, that kind of safety construction.

People support better driver training. It boggles the mind to think that a person can get a licence and have never driven on a highway. There are lots of things that happen during that test, and the tests are tougher today than they were in the past. Heaven knows, it's hard to get an appointment any more to get a test because of the social contract and the backup that's existing there, but people would say better driver training would be very helpful. Let's get those habits changed at the very beginning, or driver retraining for those who are chronic and dangerous violators of the laws of the province.

People will support the expenditure of capital funds on better-constructed highways. The people who reside in certain areas—Highway 403; Highway 401 in western Ontario—have had some accidents where cars have jumped the median. One can say there's good support for putting the necessary blockage in that middle lane. I listen to people from that part of the province who say,

"We're delighted to see that happen, because it provides another safety measure."

There's consensus in that. It's not just some cash cow, because it's costing money, but most people are in favour of that kind of expenditure which will enhance safety because they know that it has nothing to do with raising funds for the government, that it has nothing to do with raising a profile or meeting a political need, that it's meeting a safety need. That's why there's considerable support for that kind of measure. The government will find that there will be consensus in the House on matters of that kind.

There is support for throwing the book at dangerous drivers, for really being tough on those who are dangerous. Let me tell you of a situation I think of that's particularly dangerous; that is, the people who speed through zones which are school zones at a time when the kids are coming out. Again, there's a good consensus that those people should be hit hard. I see the police vehicles from time to time hiding in certain places, watching for that in a school zone, where there's a lot of violation taking place that could be directly dangerous to children. People support that kind of thing. They don't support something which is simply a cash cow.

People support being very hard on those who are driving with suspended licences, who have repeatedly had their licence lost as a result of traffic violations and who continue to drive. People are prepared to be tough on those people.

I notice that the RCMP is opposed to photo-radar. Now there is an organization which is widely respected throughout the world, the Royal Canadian Mounted Police, and it has indicated its opposition. The member for Leeds-Grenville quoted extensively from the RCMP and its opposition to the concept of photo-radar.

We have a bill before us that has very dangerous provisions, even though I read in the *Toronto Star* of May 14 "Ontario Road Deaths at Lowest Since 1954." Had there been a significant increase, I would say perhaps the government was trying to respond to a significant increase, but instead there had been a decrease, which tells me even more that it's a matter of money.

There have been people who have written some articles that I commend to members; I won't quote them entirely. Jim Kenzie writes in the automotive section of the *Toronto Star*. John Downing, who is an editor at the *Toronto Sun*, writes as follows: "It hasn't got the notoriety yet that it deserves but the"—and he calls it the "Boob Rae government"; I'm just quoting, I'm not saying that—"Boob Rae government is about to live up to its name and inflict another money grab on us while pretending it's a safety measure."

This is an objective person, John Downing. He says:

"Photo-radar is just what you would expect from that name. An \$80,000 gizmo can take pictures of the rear licence of a speeding car, day or night. A month later, the owner of the licence plate gets a colour photo in the mail, and the fine amount.

"Fighting it will be near impossible. You pay, whether

the car was stolen, being driven without permission, was on its way to a fire or birth etc, all the stuff usually sorted out by the cop that stops you."

While I understand some of the concern about leaving discretion to police officers, on the other hand, I think a lot of police officers are quite reasonable when there is a legitimate explanation, and I mean legitimate, not just an excuse, but a genuine reason that would excuse a person from it, such as taking someone to the hospital or something of that nature. Photo-radar will not ask that question. You'll simply be penalized by it.

Mr Downing goes on to say, "Photo-radar is found in Bill 47, which has various changes for the administration of justice, including those the opposition claim would make it easier for an appeal to be heard in the Supreme Court of Canada than to fight a parking ticket in Ontario." He goes on to make some rather interesting comments.

Jim Kenzie, and I won't go into great detail, says that a lot of the study that he has done indicates that this is a cash cow and that it is not something which is primarily designed for safety.

There are some other provisions of the bill which make me concerned, and that is how you can get access to the courts, particularly if you're out of town. All of us as members of Parliament have had calls from people who have had problems with tickets they got somewhere else. Now, when you're the Solicitor General, you have to not deal with those because you're not allowed to, or you get into trouble, but other members of the government can pass them along to the appropriate authorities who can make a decision.

This is a person who's from Middlesex county who gets a ticket in downtown Toronto, and he was never in downtown Toronto, but the ticket comes back to this person, and if he wants to fight it, we're now making it much more difficult to fight that, because it says persons wishing to dispute a charge will be required to do so "on the notice." Also, in some areas, to be designated by regulation, defendants will be required to file notice of intent to dispute in person or through an agent "and

cannot mail the notice." Well, that's fine if you live in that community, but if you live far away and you have to come under this provision, it's a definite imposition. It's a very impractical provision.

It says, "Defendants can be convicted without a hearing if they fail to appear at trial." Well, they're going to have to go through a long process of explaining why they're not there and have somebody believe that process. It is often a case where people cannot make it to a trial of that kind easily and they end up getting convicted without a hearing.

"No person in default can be jailed if he or she is unable to pay the fine." Persons under 18 don't pay fines. You may have some problems with that.

I see that the time has almost expired, and that is the time for the debate on this whole legislation. It doesn't do much good, but I warn the government that you are in a real problem with this legislation. I'm surprised to see an NDP government bring it forward. I'm very concerned that you'll not bring it out for public debate; that is, through public hearings. I can tell you that this is simply a cash cow, a revenue producer for the government of the province of Ontario.

If you'd bring forward other measures, genuine measures that deal with genuine safety issues, you would find great support among those of us who are in the opposition and among the people of this province.

Mr Sorbara: On a point of order, Mr Speaker: In view of the fact that time allocation has been imposed on this debate, I wonder if I might seek unanimous consent to extend the sitting until 8 o'clock so that those of us who want to say something on this bill will have an opportunity to do that.

The Acting Speaker: Do we have unanimous consent?

Interjections.

The Acting Speaker: It is now 6 of the clock. This House stands adjourned until tomorrow at 1:30 of the clock.

The House adjourned at 1801.

**LEGISLATIVE ASSEMBLY OF ONTARIO
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Durham West/-Ouest	Wiseman, Jim	ND	
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Eglinton	Poole, Dianne	L	
Elgin	North, Peter	Ind	
Essex-Kent	Hayes, Pat	ND	
Essex South/-Sud	Vacant		
Etobicoke-Humber	Henderson, D. James	L	
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth A.	ND	Minister of Health / ministre de la Santé
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Huron	Klopp, Paul	ND	
Kenora	Miclash, Frank	L	
Kingston and The Islands / Kingston et Les Îles	Wilson, Gary	ND	
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Kitchener-Wilmot	Cooper, Mike	ND	
Lake Nipigon/Lac-Nipigon	Pouliot, Hon/L'hon Gilles	ND	Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
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Lanark-Renfrew	Jordan, W. Leo	PC	
Lawrence	Cordiano, Joseph	L	
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Mississauga East/-Est	Sola, John	Ind	
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Constituency/Circonscription	Member/Député(e)	Party/Parti	Other responsibilities/Autres responsabilités
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Prescott and Russell / Prescott et Russell	Poirier, Jean	L	
Prince Edward- Lennox-South Hastings/ Prince Edward-Lennox- Hastings-Sud	Johnson, Paul R.	ND	
Quinte	O'Neil, Hugh P.	L	
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Sarnia	Huget, Bob	ND	
Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony	ND	
Scarborough-Agincourt	Phillips, Gerry	L	
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Scarborough East/-Est	Frankford, Robert	ND	
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Scarborough North/-Nord	Curling, Alvin	L	
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Wellington	Arnott, Ted	PC	
Wentworth East/-Est	Morrow, Mark	ND	
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Wilson Heights	Kwinter, Monte	L	
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Windsor-Sandwich	Dadamo, George	ND	
Windsor-Walkerville	Lessard, Wayne	ND	
York Centre/-Centre	Sorbara, Gregory S.	L	
York East/-Est	Malkowski, Gary	ND	
York Mills	Turnbull, David	PC	
York North/-Nord	Beer, Charles	L	
York South/-Sud	Rae, Hon/L'hon Bob	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
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Official Report of Debates (Hansard)

Tuesday 16 November 1993

Journal des débats (Hansard)

Mardi 16 novembre 1993



Speaker
Honourable David Warner

Président
L'honorable David Warner

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Lists of members

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month. A list arranged by riding and including ministerial responsibilities appears on subsequent Mondays.

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Listes des député(e)s

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministérielles paraît tous les lundis suivants.

Tuesday 16 November 1993

The House met at 1331.

Prayers.

MEMBERS' STATEMENTS

CORNWALL COURTHOUSE

Mr John C. Cleary (Cornwall): It was with great interest that I heard the Premier make a grand announcement last Wednesday about the funding for three new courthouses. The Premier said that the courthouses would streamline service and create 3,000 badly needed construction jobs. Rae added, "This initiative is welcome news for the communities of Hamilton, Windsor and Cornwall."

I have some news for the Premier: The announcement for the provincial courthouse in Cornwall was made by the former Premier over three and a half years ago. Since then, various ministers have attempted to maintain the promise. On October 7, 1991, the former Government Services minister and Attorney General announced, "The building will proceed." On December 3, 1991, the MGS minister added, "It is well under way right now." On April 2, 1992, the MGS minister said, "We should have the shovels in the ground next spring."

Last Wednesday's announcement is positive, but it is not new nor should it be considered an initiative. The residents of my riding have been waiting for a long, long time: since May 14, 1990. In fact, the local newspaper stated, "The NDP government is well on its way to establishing some kind of milestone for foot-dragging." So while I am relieved that the Premier has finally decided to proceed, it is unfortunate that he has delayed the project almost two and a half years.

Premier Rae has also failed to reaffirm a commitment to bring jobs to our area by transferring a ministry, agency or department. I hope the Cornwall area may benefit from the location of one of the new crown corporations.

PERTH SOAP ENTERPRISES

Mr Leo Jordan (Lanark-Renfrew): I direct this statement to the Minister of Economic Development and Trade. In May of this year, Jergens Canada Inc announced that its soap plant would be shut down, putting another '87 people out of work in the town of Perth. Perth has suffered greatly from closures and job losses during the last two and a half years.

Fortunately, due to a cooperative effort between the minister, myself, executives of the newly formed Perth Soap, the mayor and council of the town of Perth, the Lanark county development officer and the Ontario Development Corp, jobs at the Perth soap plant have now been saved.

Yesterday, the newly formed Perth Soap Enterprises company received the Treasurer's approval for a \$1-million loan guarantee from the Eastern Ontario Development Corp to ensure the continued operation of this plant. The provincial loan is part of a \$1.6-million startup project which will ensure that this plant and these jobs are sustained in the town of Perth.

I would like to thank the minister for her positive intervention in an effort that has saved an industry which has provided employment in Perth for 75 years.

PROPERTY ASSESSMENT

Mr Anthony Perruzza (Downsview): I rise again today to bring to the attention of this House and the government the need for property tax reform.

Across Ontario our property tax system is riddled with inequities and unfairness. Poor, low-income and moderate-income families, as well as the unemployed, are being penalized by a regressive property tax system which is not based on ability to pay.

In Metropolitan Toronto we have a system which is based on 1940 market values and all of the unfairness and inequity that entails. Many of us have tried to bring Metro's property tax system into the 1990s through market value reassessment and, more recently, through a process called equalization. Although determined in our approach, we have been unsuccessful in making our property tax system in Metro a little fairer.

In November 1992, I introduced a resolution, which passed in this House, in which I asked that education taxes be taken off the backs of property taxpayers. Today I again ask this Parliament and this government to reform in a more meaningful way our antiquated, unfair, unequal, regressive property tax system by removing education financing from property taxes and provide tax relief to those people who need it most.

TRANSPORTATION STUDY

Mr Robert Chiarelli (Ottawa West): Last week Ottawa-Carleton council passed a motion to pull out of a federal-provincial study examining a site for a new interprovincial bridge and also to reject car bridges at all four proposed locations.

This vote represents a historic victory for the citizens of Ottawa-Carleton, who proved that grass-roots democracy can work. Thanks to the hard work of people like Cheryl Parrot, Alf Wahab, Judy Lishman, Joe Courtney, Linda Davis, Peggy MacGillivry, Dan Brunton and many, many other citizens across the region, the politicians have stood up and listened to their demands for a more rational solution in addressing our transportation needs.

However, this is only the first step. As a senior partner in the bridges study group, the provincial government must now endorse the wishes of Ottawa-Carleton residents.

The final decision rests with the Minister of Transportation and his officials, and I hope they have heard the people's message loud and clear. The province cannot impose a new bridge on the region if the people don't want one.

LANDFILL

Mr W. Donald Cousens (Markham): Last Friday the NDP government's Interim Waste Authority laid out the final piece of its draconian measure to create three megadumps. The IWA's decision defies logic and it has forced a massive travesty upon York region, in particular

on the residents of Vaughan.

From the beginning of the Bill 143 process, the government has spat upon the residents of York region and the people of Durham and Peel. The NDP has denied these people their fundamental right to a review of all alternatives.

The NDP has said no to Kirkland Lake, it has said no to incineration, it has said no to any and all other alternatives. Is this democracy? No. This is what it means to live in Ontario under an NDP regime.

Today a group of committed dump fighters tabled a proposal that works within the parameters of the IWA requirements. This group has demonstrated a less offensive way to dispose of trash in the area where it is created. Unfortunately, this too will probably die.

Interjection.

The Speaker (Hon David Warner): Order. The member for Downsview.

Mr Cousens: The NDP has dictated all along where the dumps would go.

Interjection.

The Speaker: The member for Downsview, please come to order.

Mr Cousens: They will continue to dictate what type of dump will be built. The NDP will create one huge megahole filled with rotting, contaminated garbage in each region.

If the IWA and the NDP think this battle is over, they're mistaken. The battle is just beginning. Bob Rae, Ruth Grier, Bud Wildman, Jim Wiseman, Larry O'Connor and Gordon Mills should all be held accountable for this disastrous decision.

Again, I commit myself to the dump fight in York region. I will continue to call for a review of all alternatives. It will be a long time before the ground will break for a dump site in York region.

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KINGSTON TRANSIT FACILITY

Mr Gary Wilson (Kingston and The Islands): On Monday, November 8, I was pleased to take part in the ground-breaking ceremonies of the new Kingston Public Utilities transit facility. The funding assistance for this project shows our government's continued commitment towards both public transit and job creation.

As evidence of our support, we are providing the city of Kingston with \$3.7 million in funding towards the cost of this new transit facility. That's 75% of the total cost of almost \$5 million.

Our assistance also signifies our commitment towards stimulation of local economies, because this project supports jobs in both the construction industry and the transit sector. Construction of the building will create approximately 100 local jobs. It frees up an attractive lot in the downtown core, where the present garage is located, for future development.

Size, location and design of the new Kingston transit facility will be appreciated long after the scheduled completion of the project in August of next year. For example, innovative technology has been used for the

outdoor storage of 40 buses, which is easily expandable to accommodate future growth, and the location makes it convenient to provide servicing for Voyageur coaches and highway buses that bring the many tourists to the Kingston area.

I learned at the ground-breaking ceremony that the cooperation between the transit unions and management in planning the new facility was a significant factor in the success of the design and location of the facility.

Projects like this one and the recent announcement of almost \$3 million to improve the Norman Rogers Municipal Airport will enhance both the Kingston area and the province's transportation network for years to come.

TIMISKAMING LAND DISPUTE

Mr David Ramsay (Timiskaming): I rise today on a matter that's of great urgency to the constituents of Timiskaming. As most of the members know, for 20 years there has been a land caution on 10,000 square kilometres of land in my riding, twice the size of the province of Prince Edward Island. This results from a long-standing land dispute by the Teme-Augama Anishnabai nation and the province of Ontario and, for 20 years, court hearings going all the way to the Supreme Court and off-and-on negotiations.

This summer, an agreement between the Ontario government and the nation was reached. But last week-end, the nation failed to ratify that agreement.

Today I'm standing in my place in this House to call upon this government to lift that land caution. I know that in the end there has to be a negotiated settlement to this, but our patience has run out in the riding of Timiskaming. Enough is enough. We have to get on with development. We have to get on with mineral exploration. This is a very large piece of Ontario. Jobs have been hurt. Jobs have been lost. We have suffered in our economic development in Timiskaming. We have to get on with this.

I would ask that the government immediately seek through the court of Ontario a lifting of this land caution so that we can get on to mineral exploration and other development, and that the government continue with its negotiation, because until we have a negotiated settlement, this will not be settled. It will only be settled through negotiation, but we have to have this caution lifted so that we can get on with development in northern Ontario, and specifically in the riding of Timiskaming.

SMALL BUSINESS

Mr Robert W. Runciman (Leeds-Grenville): I rise today to mark the death of two small independent businesses in my riding of Leeds and Grenville that recently closed their doors.

Jim and Belva Pelehos operated Everyman's Smoke Shop in Prescott for 28 years. The proceeds from their shop were good enough to raise four children, each of whom took their turn behind the counter.

Pat and Eleanor Dickey of Portland recently found themselves in similar straits. After operating the Gallagher Tourist House for seven years, they closed up the inn for the last time on November 1.

Both couples blame the demise of their shops at least

in part on high taxes and government red tape. The Pelehoses point to the recession, high provincial and federal taxes, and cigarette smuggling. The Dickeyes, in their closure announcement, mention the frustration they felt coping with mounds of government paperwork and high taxes.

The Pelehoses and the Dickeyes are only four people. They represent only four full-time jobs and a handful of part-time jobs. But they are examples of the growing anger and frustration small business owners experience every day.

According to the NDP government's 1990 Annual Report on Small Business in Ontario, firms employing fewer than five people made the most significant contribution to job creation. It is these job creators, the likes of the Pelehoses and the Dickeyes, who are being driven under by overregulation, exorbitant taxes, and NDP fee and licensing hikes. I urge the government to provide some much-needed first aid to small businesses in the form of reduced taxation and government red tape before more are forced to close their doors.

PAPER INDUSTRY

Mr Gilles Bisson (Cochrane South): I'd like to take this opportunity to report to the Legislature some of the probably ground-breaking work that's been done in the community of Iroquois Falls between the Abitibi group within that community and the people who work there, through their unions.

As everybody would know, the paper industry has been undergoing some very tremendous downward trends over the past three or four years, not only because of markets but also because of the price itself in regard to the product they produce. This has meant that the paper industry overall, across Canada and North America in general, has been having some really big difficulty being able to keep its doors open and to keep in production.

To rise to that challenge the unions came together with management in order to try to find some solutions by which they tried to safeguard some of the work they have in that community, as Abitibi is basically the biggest employer within that community. They did a number of things that allowed a layoff that was announced some year and a half to two years ago to be minimized to the point that very few people actually now are in a position where they're without work. They've allowed people to take early retirement, go back to school, maintain their seniority and do a number of other things.

As well, they've allowed some modernization to go in the plant by some very unique ways of raising dollars, through employee participation, to be able to increase the overall productivity of that plant.

I say that because far too often in this province, like every other, we are very quick to point out some of the failings of our system, but I think this is one place where we can truly say that the workers at Abitibi, through their unions and the management of Abitibi-Price, in Iroquois Falls have come together to be able to find some solutions to some very difficult problems.

Is the problem over? No. Have they overcome all of the past history within those two groups? No. But at least

it's a step in the right direction and we should salute them for the efforts they've had up to now.

LANDFILL

Mr Peter North (Elgin): I rise today on a very important issue to the members of Elgin county. It's an issue that I think needs to be brought to bear. We have in our particular county a landfill which is known as Green Lane landfill. For some time now, since September 1991, that landfill has been closed. The people of Elgin county, through their municipalities, have funded a study of the landfill and developed a plan to move ahead to reopen the landfill and again look towards economic development in Elgin county.

We have, with great difficulty, tried to convey that message to the government of the province of Ontario. We have actually gone through some \$2.5 million to go through the process. We've gone through the process and we've been able to get an interim expansion agreement, but not a certificate.

Since that fateful day when we got an agreement, we have had a petition to the executive council and cabinet. We have since that day waited some 81 days, or in Elgin county terms, \$810,000 later for a decision from the government of Ontario. We would be pleased to hear that decision at their earliest convenience.

I understand they're in the mood to give landfills away to people who don't want them; perhaps they would consider giving some to people who do.

Mr Gregory S. Sorbara (York Centre): On a point of order, Mr Speaker: We were advised that the Minister of Municipal Affairs would be attending question period. We have urgent questions for him. Just moments ago I was advised that he would be in the chamber, and I'm just wondering if we could have that point clarified.

The Speaker (Hon David Warner): The member, as he knows, does not have a point of order.

Hon David S. Cooke (Minister of Education and Training): He's coming.

Mr Chris Stockwell (Etobicoke West): Attaboy, Ed.

The Speaker: Indeed, perhaps it's the power of the question itself.

It is now time for oral questions and the honourable member for York Centre.

ORAL QUESTIONS

WASTE MANAGEMENT

Mr Gregory S. Sorbara (York Centre): My question is indeed for the Minister of Municipal Affairs, who is responsible I take it for the government's waste management policies at the current time.

I want to take up where I left off yesterday, and I want to reiterate that had the minister or anyone in his cabinet or his caucus had the courage to attend the Interim Waste Authority's press conference last Friday, he or they could have personally evidenced the degree of anger and outrage that has spread all across the greater Toronto area and indeed all across the province as a result of the work of the IWA and the policies of this government.

Today there was another press conference, this one held at Queen's Park. It was organized and attended by

five of the citizens' groups that are currently waging a fierce battle against the government's waste management policies, the work of the IWA and the impact of Bill 143.

1350

The purpose of that press conference, and again the minister didn't have the courtesy to attend, was to lend some support for at least a study of certain proposals being made by a group called Resources Not Garbage. That group says it is possible to cut the waste stream by some 81%. They say it is possible to deliver a better environmental solution and one that will save the province over \$100 million as compared with the proposals under Bill 143.

I want to ask the minister whether he will simply open the door, stop the train that is going down the track to oblivion, change the policy, change the act and allow these alternative proposals to be studied and compared against his megadump, superdump strategy that's being imposed on the people of the greater Toronto area.

Hon Ed Philip (Minister of Municipal Affairs): I was at another meeting while the press conference was being held, but I can assure you that staff of the Ministry of Environment and Energy were in attendance, and they were very appreciative that a group that had received funding from this government, funding that was never given by any previous government, was able to come forward with a set of creative and positive ideas, and indeed that they recognized the value of the 3R program which the honourable member and his party have been so critical of. They have some creative and positive ideas, and we will certainly be examining those ideas.

I can tell you that Bill 7—

Mr Hugh O'Neil (Quinte): Come down to my riding.

Hon Mr Philip: The honourable member says to come down to his riding. I can tell you that I was at Marmora a couple of weeks ago and those people the Liberals wanted to put a dump on are pretty happy today.

The IWA based its projections on reaching 50% by the year 2000. This government has spent some \$49 million on the 3R program in the GTA since coming to power. That's more than any government has done. We have at least shown leadership, rather than waiting around, not dealing with the problem for the last 20 years, the way the previous two governments have.

Mr Sorbara: The minister is wrong. The government has wasted \$49 million on a process that will never bear any fruit. I want him to speak directly to the environmental groups that are in the gallery. What they say is that the reason why the proposals by Resources Not Garbage can't be studied, the reason why the Kirkland Lake proposal can't be studied, the reason why a host of other proposals that could solve this crisis can't be studied is because Ruth Grier and Bob Rae passed a bill in this Legislature which said that the only possible solution is a big hole in York region, a megadump in York region, outhouse technology in York region. Nothing else can be studied. We've wasted \$50 million on this process and I want to tell the minister that it is not going to succeed.

I want to ask him: Does he insist on waiting until the

next general election, when this proposal will go out with this government, or will he simply do the right thing, open the door, open the windows, let the fresh air of new ideas infect this process, and together these citizens' groups, this Parliament and this province can solve this crisis, rather than create an unnecessary war with the people of York region, with the people of Durham and with the people of Peel?

Hon Mr Philip: What the previous government was going to do was go ahead with Whitevale without any kind of environmental assessment, without any kind of environmental checks. That was the policy of the previous government.

This government has said that no project will go ahead without a full environmental assessment, a full inquiry before the Environmental Assessment Board and the Ontario Municipal Board and, furthermore, that we will fund the intervenors, namely the community groups that have some concern about this in the three communities, to the tune of \$1.5 million. That's acting responsibly, not opening dumps without any kind of environmental assessment the way the previous government would have done.

Mr Sorbara: Well, talk about a load of garbage: what the previous government did. The Treasurer says, "What the previous government did," and the Minister of Transportation says, "What the previous"—oh my God, is this responsible government? Is this what we're getting from this band of reprobates?

Interjections.

The Speaker (Hon David Warner): Order. Come to order. Would the member take his seat. I know the honourable member's capacity for the language. I would ask that he place his question in a suitable manner.

Mr Sorbara: I said "band of reprobates." I'll withdraw that because frankly they are a band of—well, let's not get into that.

I want to ask the Minister of Municipal Affairs, on whose behalf is he promoting this policy? Yesterday he said that the garbage was going to York region because there was an agreement between York region and Metropolitan Toronto. That simply misstates reality. There is no such agreement, save and except an agreement that Metro Toronto entered into to accept York region's garbage in Keele Valley for the period of the life of Keele Valley and nothing further.

The lunacy of this policy is that aside from Durham and aside from Peel, we're really talking about what to do with the garbage of three million people—

The Speaker: Could the member place a question, please.

Mr Sorbara: —I'm going to do that—in Metro Toronto. The fact is, I tell the minister, that even Metro Toronto says that the minister's solution is too expensive.

It will not work. They do not want it and they will continue to examine other alternatives and await the defeat of the government.

The Speaker: Will the member please place a question.

Mr Sorbara: I ask the minister once again, will he

simply amend the bill to allow other, more viable alternatives to be compared and contrasted and studied as against the megadump policy, and let the best solution win? Will the minister just do that?

Hon Mr Philip: If the honourable member had read the bill, he'd realize that under the present proposal, new technology such as the above-ground landfill proposal that has been proposed this morning by the group can in fact be considered by the IWA. That's part of the proposal. What we have is an independent—

Mr Sorbara: That's stupid, Ed.

The Speaker: Order. The member for York Centre, please come to order.

Hon Mr Philip: I'm sorry, Mr Speaker, I'm being called stupid by the honourable member, but that is in fact the case. It is in fact the case—

Interjections.

Hon Mr Philip: It is in fact the case that that's the smartest remark he could come up with in his attack on the government. That's the case.

The fact is that it can be considered, and I'm sure the IWA will be happy to consider that and any other proposal.

MICHAEL DECTER

Mr Sean G. Conway (Renfrew North): I have a second question for the Chairman of the Management Board. Mr Minister, later this week Michael Decter, that golden boy of the new democracy in Manitoba, will conclude his 22 months of public service to this province as someone with the rank and status as deputy minister. During that 22-month period, which will terminate this week, Mr Decter has, among other things, served his friend and Premier, Mr Rae, in many capacities, but perhaps most memorably as the enforcer for the NDP's social contract.

The Rae social contract, as we all know, basically asks the people in the public service to do more with less. Mr Decter and Mr Rae have asked us all, invited us all and told us all to pull in our belts.

Is the Chairman of Management Board aware that in his 22 months as deputy minister, Mr Decter has run up bills, personal expenses, totalling \$102,410.24? Is the Chairman of the Management Board aware that this golden boy from Manitoba, brought in to enforce the social contract, has in the space of 22 months racked up \$102,000 worth of expenses?

1400

Hon Brian A. Charlton (Chair of the Management Board of Cabinet): No, I was not specifically aware of the expense claims of the Deputy Minister of Health, any more than I individually keep track of the expense claims of every other deputy in the government. But in respect to the basic question which the member is raising, as I understand it there is not any significant or outrageous list of expenditures by the Deputy Minister of Health over the course of the months he spent with the government; in fact, a far lower rate of expenditure than his predecessor.

Mr Conway: The documents that I have received,

provided by the government, indicate that in that 22-month period, from September 1991 through June 1993, Mr Decter has incurred expenses totalling \$102,000, made up generally of some \$36,599 for meals, hotels, flights, taxis, a leased car, and some \$65,000 worth of relocating and housing expenses, that when you add this all up, you get \$102,000, and that when compared with other deputy ministers, it is in fact a very high expenditure.

Given the fact that Mr Decter's principal job in the last 18 months has been around the social contract, telling the nearly one million people who work in the broader Ontario public service that they have got to tighten their belts, that they have got to do more with less, is it not exquisitely embarrassing for the government that Mr Decter, the enforcer of this social contract, has racked up this kind of personal expenditure, as I say, \$102,000 in 22 months?

Mr Gregory S. Sorbara (York Centre): And is it true that he's going to be the next president of the NHL?

Hon Mr Charlton: I don't run the NHL.

Is it embarrassing for the government? No. Let's just be very blunt. As the member for Renfrew North has raised the question, I'm certainly prepared to look into the specific questions he raises, but there are a number of things that have to be made clear at the front end of this.

The member referred to a list of expenses, including accommodation allowances because this particular deputy minister came from another jurisdiction, which is a fairly normal practice. Some deputy ministers, as the member well knows, come from other provinces; some of them come from the bureaucracy in Ottawa from time to time. Governments traditionally have paid for their relocation expenses. Again, in this case, when we do those comparisons, this particular deputy's expenses come up not any significantly different than others who have gone through the same process.

Mr Conway: I appreciate that last point, because the government's own Management Board rules provide, in the enhanced relocation plan criteria, that the special benefits should be paid out to people only if they commit to serving for at least two years. So your pal, this golden boy from Manitoba, has received a very substantial housing and relocation benefit and he has just managed to squeeze in under the minimum requirement. So I have been looking at your rules and they have been applied here most interestingly.

I find it interesting that on June 8, 1993, when Premier Bob Rae was announcing that he was about to introduce social contract legislation that was going to have a very real impact on a very large number of people and public services in this jurisdiction, Michael Decter was down at the Bangkok Garden dining with David Agnew and Ross McClellan and sending a bill of \$182.41 to the taxpayer. It wasn't everybody, you see, whose principal job it was to enforce the social contract. This enforcer, this special New Democratic golden boy brought in here—

The Speaker (Hon David Warner): Would the member pose a question, please.

Mr Conway: —at a cost of \$140,000 of annual salary

and \$102,000 for the expenses, had, I believe, an obligation to set a better and higher standard.

The Speaker: Would the member take—the member has posed his question.

Hon Mr Charlton: Again, I repeat two things for the member for Renfrew North. Firstly, I have undertaken to look into the questions that the member has raised. Secondly, the higher standard of performance which the member for Renfrew North refers to, as I've already suggested, exists as compared to some of the appointees from the past.

EMPLOYMENT EQUITY

Mr Michael D. Harris (Nipissing): My question is to the Minister of Citizenship. Yesterday, the Management Board Chair reluctantly pulled an ad which barred many Ontarians from applying for a government job. However, he refused to pull the discriminatory policy behind that ad.

The message this sends is that you intend to proceed with discriminatory hiring; you just won't be so blatant about it. You won't in fact advertise it any more. If this is true, the phone calls that my office is getting today, has been flooded with today, are that you might as well bring back the ads and be truthful about it as to try to smoke us on this and go ahead with the policy and simply pull the ad because the ad was offensive.

You're the minister responsible for employment equity for all Ontarians. Will you acknowledge today that the policy that led to those ads was itself discriminatory, was wrong, and that you will cancel it today?

Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations): First of all, I'd like to clarify a position, because I think the viewers out there might have some misunderstanding.

First of all, the Management Board is acting on its own initiative. Bill 79 is not passed. So linking the two together is a little bit premature, so to speak.

The area of looking at positive measures is extremely important not only in Bill 79 but in everything that we do, because positive measures, if I can explain, means many different things. So it means that you might have job-sharing, job-shadowing, mentoring, making sure that people who need to have an opportunity could have an opportunity to look at a job they are interested in and have a better understanding of that job.

Yesterday, yes, the Chair of Management Board said he was pulling the ad, but he also said he was reviewing the policy. That is what is happening. The policy is being reviewed by the Chair of Management Board and the ad has been pulled. I don't see what more we can say to you but to say that is happening and we are continuing to look at the issue.

1410

Mr Harris: Because you refuse to cancel the policy, you simply say it's under review, we can only assume that you think that under some circumstances it's okay, as a means to an end, to put up new barriers to employment for some Ontarians. That's the message as long as you leave that policy in place. It sends a very dangerous

message to employers in this province.

Under Bill 79, your employment equity legislation for the private sector, you are demanding that employers in the private sector must meet artificial quotas that you cannot meet yourself without discrimination in the public sector. These are in your bill as well. Under your legislation, and by following your example under Bill 79, private sector employers can also bar any identified group from applying for a job.

Minister, while the policy is under review in the public sector, would you not agree that we should halt proceeding in committee with Bill 79, which has the very same provisions in it for private sector employers, until we get the results of your review? Would you not agree that makes sense?

Hon Ms Ziemba: First of all, Bill 79 does not have artificial quotas and I think you know that. I think you understand that employers will be setting their own goals and timetables, looking at their own respective communities and looking at the barriers.

Yesterday, I listened very carefully to what the leader of the third party said. I heard him talking about employment equity and that true employment equity was removing barriers. That is exactly what Bill 79 says. It talks about qualitative measures that remove the systemic barriers that exist in today's society.

The member opposite also talks about stopping and halting Bill 79. The positive measures that are listed in Bill 79 are in regulations, not in legislation. What we are discussing right now is the legislation, not the regulations.

Will I withdraw Bill 79? No, because this is an extremely important piece of legislation for everybody in Ontario.

Mr Harris: Minister, you admit that you're reviewing the policy for the public sector, yet you're proceeding with legislation that permits exactly the same thing in the private sector. In fact, you acknowledge that it will be by regulation that none of us will get a chance to debate. No legislator, no employer will get a chance to debate the regulations that this bill permits, and that's even scarier than spelling it out in the legislation.

It's not quotas; it's "numerical goals." You want the listeners out there to know it's numerical goals that have to be achieved, not quotas. Let's be clear about that. I don't know what the difference is.

Your handling of employment equity is indefensible. Yesterday, the Premier admitted he didn't even know that Bill 79 takes away the right to appeal to the Human Rights Commission if you are barred from applying for a job. You're not going to get a chance to debate it. You're going to proceed with it. It could come in by regulation, and Bill 79—the Premier didn't even know that.

In committee yesterday, Minister, you dropped a new stack of changes to try to fix the bill at the 11th hour. There is virtual chaos in the committee. Your own members don't know what's in the bill. Your own ministry people don't know what's going to be the result of your policy review. You now have over 50 amendments. Are you so ideologically bent on bringing forward

legislation at any cost that you have lost sight of the intent of employment equity?

I didn't say cancel the bill, Minister. I asked if you will suspend proceeding with the bill, withdraw it, until we have a review of the policy for the public sector, and go back to the table and look at measures that will truly result in equity in our province's public and private sector workplaces.

Hon Ms Ziemba: There are many comments that the leader of the third party made, but I wanted to highlight one because I think this is extremely important.

The leader of the third party kept referring to the Premier's remarks yesterday relating to the Ontario Human Rights Commission and its code. The code was amended in 1982. In my historical memory, that means that the Conservatives were the government in power, and in my historical memory they were the ones who brought in the amendments to the code that say positive measures can be used for designated group members in the workplace.

It was a very good measure in 1982, as it is in 1993. I have no intention of amending the Human Rights Code through Bill 79, and I would like to say to the member opposite, look at the people who were in government in 1982 who had a very good issue and effective role in human rights issues; don't go back and take away people's rights and don't go back on what you did in 1982.

This bill has been designed by many, many meetings and consultations. I have spoken to many employers who understand what Bill 79 will do, who believe that this will work.

The Speaker (Hon David Warner): Could the minister conclude her response, please.

Hon Ms Ziemba: Yes, Mr Speaker. I'm very pleased with the results of Bill 79, and we are committed to making sure that we have fair and equitable representation in all of our workplaces across Ontario, with or without your help.

Mr Harris: I want to tell you that the changes made to the Human Rights Code in 1982—I chaired the committee; Dr Bob Elgie brought them in—didn't anticipate the government—

The Speaker: Does the leader have a second question?

Mr Harris: —bringing in these kinds of positive measures that discriminated.

The Speaker: Order. Will the leader take his seat, please.

Interjections.

The Speaker: Would the member for Nipissing please resume his seat.

Interjections.

The Speaker: The leader of the third party with his second question.

PHOTO-RADAR

Mr Michael D. Harris (Nipissing): My second question is to the Minister of Transportation. Late yesterday, your government brought in a motion to shut

down debate on your totalitarian, Orwellian, photo-radar cash-grab legislation.

For a government that promised to be open, this closure action is the height of arrogance, the height of exactly everything you campaigned against and you said you were for. Why are you so desperate to ram this legislation through that you are not even willing to listen to any viewpoint other than your own?

Hon Gilles Pouliot (Minister of Transportation): You have been a witness and a party by virtue of your mandate, Mr Speaker. You can attest better than anyone that we have spent a full five days debating this safety initiative—not one, not two, not three, not four but a full five days—which is one heck of a lot longer than we were allowed to spend at second reading of any bill when we were sitting there, and then when we sat there, and back and forth for a number of years.

This is a safety initiative. Some 1,100 are losing their lives in Ontario. We shall not be deterred. We wish to make the roads of Ontario the safest in North America because we care about 90,000 lives. We're hoping that this project will not cost too much money. We're going forward.

Mr Harris: The only reason this government is ramming photo-radar through is because it is desperate for cash.

Hon Floyd Laughren (Minister of Finance): Yell louder, Mike.

Mr Harris: It is the Treasurer who is yelling loudly and he is the one who is desperate for cash. That's why you're proceeding.

Hon Mr Laughren: Yell more. Shout more, Mike. Shout louder.

1420

Mr Harris: I understand the Treasurer yelling and screaming and ranting and raving in the Legislature today. He needs the cash.

You, in your haste, are recklessly disregarding the people of Ontario. You are refusing to allow the taxpayers of this province, the people who elected you, to participate in the public policy debate. You have decreed there will be no public hearings, no public input on this bill. You didn't campaign on photo-radar. You have no campaign mandate to proceed. It came right out of left field, so to speak, before the public. You have no right to act without even consulting the public. Will you commit today to allow full public hearings on this bill before proceeding?

Hon Mr Pouliot: If I come out of left field, the member opposite, with respect of course, is straight out of the ballpark.

Mr Speaker, you will recall, perhaps vividly, that when the safety belt as a safety measure, the "Buckle Up" campaign was introduced, people called it an infringement on people's rights. You will recall that when radar was first introduced—radar traps, if you wish—again it was called a tax grab by members of the opposition. Whenever we're talking about safety, we're talking about life; nothing short of that. We're hoping this program will not cost the taxpayers too much money. That's the

bottom line. We're not interested in making money. That's not what it's about.

Was it a tax grab when it was introduced in California? Was there a tax grab when it reached Arizona? When the Scandinavian countries endorsed this kind of system, was it a tax grab? Why don't we stop imputing motives and stick with the reality that we are determined to make Ontario's roads indeed the safest, not the second-safest but the safest, in North America. That's the crux of the matter. That's what we're doing; no more, no less.

The Speaker (Hon David Warner): Would the minister conclude his response, please.

Hon Mr Pouliot: We're going forward.

Mr Harris: The sad fact is this. It is the people of Ontario who are not even allowed into the ballpark. It is the people of Ontario, the public, who have been shut out. When a Progressive Conservative government brought in seatbelt legislation, the public were invited to comment. There were public hearings. There was public debate. We had input on a change of policy. The fact of the matter is Bill 47 is a cash cow, and you need the cash right away. It has less to do with safety than it does with the state of the province's finances.

Mr Drummond White (Durham Centre): How about the hundreds of thousands of jobs that were lost?

The Speaker: Order, the member for Durham Centre.

Mr Harris: Minister, if you can hear me over the yelling and screaming of your members, quite frankly, it is legislation that is so full of holes that you feel it won't stand up to public scrutiny, so you're hiding it from the public. Many feel it won't stand up to a court challenge. In your government's first throne speech you said this: "It is a government that will listen to the people." This is the swearing in. You remember that day over at the University of Toronto?

Why in this photo-radar legislation will you not allow the people to come and express their views? Why are you now shutting them out of the process with closure legislation that precludes any public input at all into this change of policy?

Hon Mr Pouliot: The member asks an interesting question. The people are not shut out. There will be some public hearings. There will be two days of public hearings. The House leader made a choice: longer or shorter debate, more or less time at committee. We're going through the process. The committee can sit at night if it wishes—

Mr David Turnbull (York Mills): You haven't read the motion. There are no public hearings. You don't even know what you're talking about.

The Speaker: Order. The member for York Mills, come to order.

Hon Mr Pouliot: —to accommodate all those people who wish to partake in the legislation.

Mr Turnbull: There are no public hearings. You haven't read the motion.

The Speaker: Would the member for York Mills please come to order.

Mr Turnbull: On a point of order, Mr Speaker.

The Speaker: No. Would the member please take his seat, Minister.

Hon Mr Pouliot: It's rather obvious that if anyone stole time from the public, it is they. But let me go back briefly because it's connected, directly related: Speed kills. One out of every six fatalities is caused by people exceeding, surpassing the speed limit. We're not going to—

Mr Chris Stockwell (Etobicoke West): They fixed the roads with the money. Hire more police.

The Speaker: Order. Would the member for Etobicoke West come to order.

Hon Mr Pouliot: This is a question of morality. This is an obligation. How can we, myself as Minister of Transportation and this government, not seize the opportunity to lessen the carnage that's actually taking place? I don't want to have to carry the guilt and I shall not. This is responsible legislation.

The Speaker: Would the minister conclude his response, please.

Hon Mr Pouliot: The people will be able to voice their concerns, to come up with alternatives and as always we shall listen and proceed.

CANCER TREATMENT

Mrs Barbara Sullivan (Halton Centre): I think it's news to all of us that the Minister of Transportation sets the rules of the House, but my question is to the Minister of Health.

Last Thursday I visited the cancer clinic at the Toronto Hospital. That clinic was totally empty. There wasn't a patient, there wasn't a doctor, there wasn't a therapist and there wasn't a nurse in that cancer clinic. On a normal day, 250 cancer patients receive care at that particular clinic. They receive chemotherapy, diagnostic tests, their progress is evaluated, they receive counselling from nurses and social workers and they receive ambulatory medication. None of those things happened last Thursday.

You said, Minister, that no health care services would be affected by your expenditure cuts and in particular by the social contract. What do you have to say to those 250 cancer patients for whom there was no treatment available? Their health care services were clearly cut.

Hon Ruth Grier (Minister of Health): The circumstances surrounding that closure I assume were related to decisions made by the hospital. I'm not familiar with the fact that that had happened. I am not for a moment saying that there have not been changes in scheduling and adjustments having had to be made as hospitals take into account changes in their funding. But let me say again to the member and to all members that essential and critical services have not been affected by any of the moves or the changes this government has made.

Mrs Sullivan: Ask a patient who was scheduled for treatment if the service he or she was going to receive last Thursday was not an essential and critical service. Ask the patient what he believes about the chemotherapy that he had originally been scheduled for.

Minister, your government, not the hospitals, has caused these service cuts to happen. You have set the

rules. You imposed the law to do that. You reduced transfers; you imposed wage freezes; you required the social contract days when staff can't provide the services; you've dictated the early retirements and the layoffs.

Let's be clear about this. You have allowed hospitals and other providers absolutely no flexibility to plan appropriate service reductions that make sound clinical sense. They must cut according to your rules, not to their own priorities, and they have no other options. It's the law, and 250 cancer patients did not receive their treatment in one location last Thursday, completely as a result of your rules. Hundreds of others in other places also won't receive their medically needed treatment as a result of your rules.

The Speaker (Hon David Warner): Would the member place a question, please.

Mrs Sullivan: You said in Sudbury yesterday, "The whole point of our social contract is to save money." The backs on which you're saving money aren't the hospitals'; they're the patients'.

The Speaker: Does the member have a question?

Mrs Sullivan: What do you have to say to those patients now, and what are you going to say to the hospitals that have no flexibility and no other option than to do what your rules say they have to do?

Hon Mrs Grier: The whole point of the social contract was to save money while at the same time maintaining jobs and maintaining services. Why a cancer clinic was not open on Remembrance Day, I cannot answer today. But let me say to the member that her allegation that there is no flexibility in the arrangements this government has made is completely and absolutely wrong.

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I ask her to look at the examples of hospitals which have found greater efficiencies and provided better service as a result of savings. I remind her of a quotation from somebody at Wellesley Hospital last week who said, "Five years ago, we had a \$10-million debt, which we've eliminated," and they will not be affected by the social contract because of their planning and their management.

I would also remind her of what is happening in Nova Scotia where the Liberal government has said, "Zap; you're closed," or "Zap; you're cut," and where the workers are saying, "Let us sit down and let us talk together and let us restructure together how we can make these savings." That's what's happening in Ontario and that is what the social contract allows for.

WASTE MANAGEMENT

Mr David Tilson (Dufferin-Peel): I have a question for the minister responsible for the dumps of the greater Toronto area, the Minister of Municipal Affairs. I'd like to return to the press conference that was referred to earlier that was presented by the coalition of citizens' groups which put forward this morning a plan to eliminate the need for massive garbage dumps. Their proposal, as their press release indicates, "will greatly reduce waste, present an innovative option for handling the remaining waste, and will create thousands of jobs."

The minister has indicated that this group received a

certain amount of intervenor funding. Of course, the problem with that is that this group was restricted to just certain areas. They weren't allowed to look at the law on rail haul; they weren't allowed to look at such topics as incineration.

Having heard this plan and having—you may not have read it in detail, but at least your staff having reviewed it—would you be prepared to place a moratorium on the three dumps that are being planned for the greater Toronto area and at least look at this area, to at least look at this plan extensively and determine whether or not there are good foundations on the excellent submissions that they've put forward?

Hon Ed Philip (Minister of Municipal Affairs): I indicated earlier that the staff of the Ministry of Environment and Energy had met with the people who made a very interesting presentation and held a press conference this morning.

I've said that I'd be quite prepared to look at any proposals, but it isn't my role to look at the proposals at the moment except in terms that I'm sure that the Minister of Environment will look at any proposals that will speed up the 3R program that is being so successful.

May I remind the member, however, that it was members of the opposition who had such opposition to Bill 7 that would give municipalities real powers to deal with the waste management problem. Maybe one of the areas that they might start working with is to educate the members of the opposition on the value of Bill 7 and working with the local municipalities on using the processes in Bill 7 and other processes in reducing waste.

The fact is that we have intervenor funding and participant funding and we intend to continue to do that, which is more than any of the two previous governments did.

Mr Tilson: I think the difficulty is that there are new ideas coming forward. It may well be that you may not need the size of these superdumps. The fact of the matter is that there have been defects with respect to the Interim Waste Authority from the very outset. We've even seen it last Friday, when members of this House weren't even able to attend the first press conference.

You refuse to discuss rail haul, you refuse to put forward extensive studies with respect to incineration and now you appear to not be prepared to stall the creation of these superdumps to enable a study of this no-landfill plan. It's become apparent that you need to look at this whole subject more than what you've done.

My second question to the minister is: Having seen the problems that the IWA has created in this province, would you therefore be prepared to cancel the Interim Waste Authority, to cancel the entire process and look at a waste management solution for the entire province of Ontario?

Hon Mr Philip: The honourable member says that the IWA has created a waste problem. The fact is that the waste problem existed and has existed for 20 years and, in fact, industry has been very, very concerned about the fact that, in looking at the greater Metro Toronto area as a place to invest and do business, there was no game

plan, there was no reasonable solution proposed by the two previous governments to deal with the waste.

The fact is that Britannia was slated to close in late 1997. The fact is that Brock West and Durham were slated to close in March 1994 or, at the very latest, most optimistic projection, by late April 1995. The fact is that Keele Valley would close as early as mid-1997 or as late as May 2003. You have to deal with the fact that there is garbage out there, that industrial society creates garbage and that you have to have an independent way of looking at what to do with that garbage.

This government has done more to fund research into the reduction of waste and to alternate uses and recycling than any previous government.

The Speaker (Hon David Warner): Could the minister conclude his response, please.

Hon Mr Philip: That is why people are coming from all over the world to look at our 3Rs program and the research we're doing in the green industries. I can assure you we'll continue to put taxpayers' money into those industries and into creating new recycle products and finding new ways to reduce and recycle.

CHILD AND FAMILY SERVICES

Mrs Irene Mathyssen (Middlesex): My question is to the Minister of Education. As you're aware, the Middlesex County Board of Education participated in a pilot project, one of eight across the province, under phase 1 of your ministry's school-based services program. The pilot project placed a social worker in an individual school in each of the eight different school boards to address the issues of family violence and the effects on children from both an intervention and a prevention perspective. This pilot project was highly successful in Middlesex and the other school boards. Early intervention and the immediacy of onsite response reduced referrals to local agencies in some cases by as much as 70%.

Given the success of the Middlesex County Board of Education and other pilot projects, can you please advise me and other members in this House whether your ministry will build on this positive initiative and provide funding for this project? There have been some concerns that this program could indeed end. I know that the Middlesex county board—

The Speaker (Hon David Warner): Could the member conclude her question, please.

Mrs Mathyssen: —and Women's Rural Resource Centre of Strathroy and Area are eager to reserve. Will you continue to fund this project in Middlesex and can we expect funding to be long-term?

Hon David S. Cooke (Minister of Education and Training): I certainly agree with the honourable member that the project that she's referring to is a successful project. The project placed a social worker in eight schools across the province. I'm certainly pleased to inform the member that the project is now ready to proceed to phase 2 funding for the 1993-94 school year. The Middlesex County Board of Education and the London-Middlesex Roman Catholic Separate School Board, along with the Women's Rural Resource Centre in Strathroy, will be partners in phase 2 of the program.

Each school board will receive \$12,000, which will flow to the shelter on a fee-for-service basis. Across the province, there will be a total of 41 projects involving 52 school boards and 42 shelters for battered women. The school-based services projects are funded through the wife assault prevention initiatives on the allocation from the Ministry of Education and Training.

ONTARIO ECONOMY

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Finance. It has to do with the first six months' financial results released yesterday, which I think can only be described as troubling and as a damning indictment of Bob Rae's ability to manage the economy.

It was less than six months ago that the budget came out and all of the projections were the Premier's projections on what was going to happen to the economy and the finances. Now we see yesterday's results: retail sales revenue down because of the slower-than-expected growth; corporate tax revenue down as a result of weaker-than-expected profits; the employer health tax revenue down due to lower-than-forecast employment; land transfer tax down, reflecting the weak housing market. All of these things have happened in the six months from when the Premier predicted in his budget what was going to happen in the economy. The economy clearly is performing far worse than the government predicted six months ago.

My question to the Minister of Finance is this: What has caused the economy to perform so much worse than you predicted less than six months ago, and when are you going to report to the people of Ontario the true state of the economy?

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Hon Floyd Laughren (Minister of Finance): I don't really understand the member for Scarborough-Agincourt's closing comment about when we are going to tell him the real state of the economy, as though we've been trying to hold back information, which is simply, of course, patently untrue and, quite frankly, ludicrous for him to say.

The second-quarter finances were published just yesterday, which is about as up-to-date as you can get, it seems to me, in revealing the state of the finances of the province.

I would remind him as well that of the revenue problem, which was substantial, the vast majority was from 1992 income tax settlements from the federal government. That doesn't mean it's the federal government's fault; it simply means that the settlements are divvied up now as those tax returns are completed. It's true as well, of course, that there were declines in revenues in our own source of taxation as well, absolutely, because the rate of growth in the provincial economy has been down, as it has been for Canada as a whole.

As a matter of fact, the member for Scarborough-Agincourt would know, I think, that late this morning the federal Minister of Finance announced that the new deficit for the 1992-93 year, not this year, not the six months for this year—I don't know what those are;

perhaps the member for Scarborough-Agincourt could find out for us what they are. What I'm told is that for 1992-93, the number is going to be now \$40.5 billion as opposed to the \$35.5 billion which was the earlier estimate.

Mr Phillips: You've not answered my question. Why has the economy performed far worse than you predicted six months ago? The people of Ontario deserve an answer.

I don't think you even know your own numbers. You said that the majority was personal income tax. More than half of the revenue shortfall has nothing to do with personal income tax. It has to do with things that you are directly responsible for.

I seriously would like a direct answer out of the Minister of Finance: Why has the economy performed far worse than you predicted less than six months ago? Why is it? Can you explain to the people of Ontario, and not give these flippant answers, what is happening with the economy that is causing it to perform far worse than you predicted less than six months ago? Can you give us an answer to that, Minister?

Hon Mr Laughren: The member asks a flippant question and then complains when I try to give him a serious answer. That doesn't seem very logical to me. I can hardly wait for the member opposite to stand in his place and defend every single thing that his federal counterparts are going to be doing in Ottawa for the next four years.

I want to tell you, we all know that there is a problem in the Canadian economy and that the economic recovery is slower than anyone anticipated—slower than the federal government anticipated, slower than all other provinces anticipated. For the member for Scarborough-Agincourt to pretend that he can hang on this government the problems in the economy as a whole is absolutely silly and unfairly partisan. I'm surprised that the member for Scarborough-Agincourt would stoop to that level.

TEACHERS' DISPUTE

Mr Ernie L. Eves (Parry Sound): I have a question of the Minister of Education and Training. The minister will know, of course, that today is the 29th instructional day of the strike of the east Parry Sound elementary panel. Would the minister mind informing this House what specific action he is taking to bring about an end to this dispute?

Hon David S. Cooke (Minister of Education and Training): I certainly congratulate the member on the positive role that he is attempting, or has been—I'll wait till his supplementary question comes—trying to take back home in talking to the parties, and I believe that he's called a public meeting for later this week. I think those are all constructive measures that the member has taken.

But he also understands that through Bill 100, the legislation that guides negotiations, the Education Relations Commission has a role to play. That role is to offer mediation services to bring the parties together and to try to find a settlement, but ultimately it's up to the board

and the teachers to find a settlement. That's where that settlement has to be found.

I think the best thing to come out of this place is for all of us to send a message to the board and to the teachers that they should be as concerned about the students as we are, and the only way they can show that concern is to get back to the bargaining table and find a solution.

Mr Eves: The minister will be aware that the second attempt at mediation in this dispute by the ERC failed at about 1 in the morning two Fridays ago. The minister will also be aware, as he has alluded to in his response to the initial question, that there is a public forum meeting being held this Thursday night at Almaguin Highlands Secondary School in Sundridge and South River. So far, the teachers have agreed to come and answer questions, the board members have agreed to come and answer questions, and a representative of the Education Relations Commission has agreed to come and answer questions. Will you do the same?

Hon Mr Cooke: I appreciate the offer and I saw his kind invitation that he sent to me, but I would say to the member that the Education Relations Commission is the appropriate body to be there, not the Minister of Education. I certainly will look for a full report from the member as well as the Education Relations Commission.

VIOLENCE AGAINST WOMEN

Mrs Ellen MacKinnon (Lambton): My question today is directed to the minister responsible for women's issues. On the occasion of the eighth annual public education campaign on wife assault prevention, I was pleased to participate in this year's campaign and have given out hundreds of pamphlets and buttons on wife assault from my office.

This year and in previous years, my constituents tell me that they think television ads deliver the message well that wife assault is a crime. Could the minister tell the House how the wife assault prevention campaign is evaluated, and secondly, does the campaign really change the attitude of the public?

Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues): I am pleased to answer the member's question because we have found that the campaigns are successful. After each campaign, we do market research where we ask questions of people as to how many elements of the campaign they've seen, what they remember of them, what attitudes they took away from them.

This year, we found that 92% of those questioned had seen at least one component of the campaign, and of those, 72% were indicating that they understood that the assaultive behaviour was the problem, not the victim. That's a very big improvement. Eighty-nine per cent of those questioned were positively impressed by the campaign and felt that it added to their understanding of the issue of wife assault and the urgency with which they regard the need to act in a concerted community way to end wife assault. So I would say that the campaign is indeed very successful.

CONTROL OF SMOKING

Mr Dalton McGuinty (Ottawa South): My question is for the Minister of Health. Every month in this province, 3,000 kids pick up the smoking habit. These kids don't understand the powerful addictive quality of tobacco. They don't understand that 13,000 people will die in Ontario this year from smoking-related illness. What they do understand is that in Ontario it's very easy for them to buy cigarettes.

Your government first talked about the need to pass a law that would restrict children's access to tobacco in April 1991. Your predecessor promised to introduce a bill before summer and you yourself promised to introduce a bill before Christmas. Now we see that it's been removed from your list of bills to be introduced before Christmas. I want you to tell me, Madam Minister, how you, as the Minister of Health for this province, can justify delaying a bill which will prevent our children from starting to smoke.

Hon Ruth Grier (Minister of Health): I'm glad to have an opportunity to address this issue, which I take very seriously, as does our ministry, because we too recognize the damage that tobacco use does to health and particularly to the health of young people.

Let me caution the member from drawing conclusions from lists that may be leaked in brown envelopes as to what the priorities of this government are. This government decides its priorities and I can assure him that anti-tobacco legislation to guard against young people purchasing tobacco is very high on our list of priorities. I look forward to the utmost cooperation from the opposition, both parties, to get fast passage through the House when it is introduced.

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PETITIONS

EMPLOYMENT EQUITY

Mr Hugh O'Neil (Quinte): I have a petition that has been submitted to me by residents of the riding of Quinte and it reads:

"To the Legislature of the province of Ontario:

"The government of Ontario has presented to the Legislature of Ontario a bill identified as Bill 79, An Act to provide for Employment Equity for Aboriginal People, People with Disabilities, Members of Racial Minorities and Women.

"We, the undersigned, believe most of the items in this bill are discriminatory, racial and inflammatory in nature. This bill, if passed, will create additional costs to employers, double jeopardy, legal entanglements and entirely new bureaucratic hierarchies.

"At this time of financial problems for governments and industries, we, the undersigned, ask you to withdraw or defeat the bill."

DENTURE THERAPISTS

Mr Noble Villeneuve (S-D-G & East Grenville): I too have a petition and it's being presented, pursuant to standing order 35, to the Parliament of Ontario for it to take action in regard to a matter which is within the authority of the Parliament of Ontario.

"To the Honourable the Lieutenant Governor and the

Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario and respectfully submit that a denture therapist should be allowed to supply, repair and adjust partial dentures and deal directly with the public without the necessity of supervision by a dentist.

"We, the undersigned, petition the honourable members of the Legislative Assembly of Ontario to support and pass as soon as possible the appropriate bill in its entirety."

It's referring to Bill 50 brought to this Legislature in 1991. I have signed this petition and support it.

CASINO GAMBLING

Mr James J. Bradley (St Catharines): I have a petition regarding casino gambling:

"Whereas the government of Ontario has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the government of Ontario has had a historical concern for the poor in society who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the government of Ontario has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

I will be signing this petition as I am in agreement with its contents.

RETAIL STORE HOURS

Mr Bob Huget (Sarnia): I have a petition to the Legislative Assembly of Ontario. It reads:

"We, the undersigned, strongly oppose the opening of any liquor stores on Sunday in the province of Ontario."

This petition has been signed by 373 constituents in my riding of Sarnia and surrounding area. I am in support of this petition and affix my name to it.

PROCEEDS OF CRIME

Mr David Tilson (Dufferin-Peel): I have a petition of 248 names from constituents in municipalities throughout my riding of Dufferin-Peel, and it's addressed to the Legislative Assembly of Ontario:

"Whereas criminals can currently derive profit from the

sale of recollections of their crimes; and

"Whereas criminals can also derive profit from interviews or public appearances; and

"Whereas this can cause suffering of crime victims and that of their families,

"We, the undersigned, demand that private member's Bill 85, the Proceeds of Crime Act, 1993, be passed into law."

I support this bill and have affixed my signature to it.

ORDERS OF THE DAY

TIME ALLOCATION

Mr Charlton moved government notice of motion number 11:

That pursuant to standing order 46 and notwithstanding any other standing order of the House relating to Bill 47, An Act to amend certain Acts in respect of the Administration of Justice, when Bill 47 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment;

That the standing committee on general government shall meet to consider the bill on the two regularly scheduled meeting days immediately following passage of this motion. All proposed amendments shall be filed with the clerk of the committee by 12 pm on the last day of clause-by-clause consideration. At 4 pm on that day, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. Any divisions required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 128(a); that the committee be authorized to continue to meet beyond its normal adjournment, if necessary, until consideration of clause-by-clause has been completed. The committee shall report the bill to the House on the first available day following completion of clause-by-clause consideration that reports from committees may be received. In the event that the committee fails to report the said bill on the date provided, the bill shall be deemed to be reported to and received by the House;

That upon receiving the report of the standing committee on general government, the Speaker shall put the question for adoption of the report forthwith, which question shall be decided without debate or amendment, and at such time the bill shall be ordered for third reading;

That one further sessional day shall be allotted to the third reading stage of the bill. At 5 pm on such day, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment;

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to 5 minutes and no deferral of any division pursuant to standing order 28(g) shall be permitted.

Mr Ernie L. Eves (Parry Sound): On a point of order, Mr Speaker: With respect to the government notice of motion number 11, I would like to draw the Speaker's attention to standing order 74, and I will read the standing order:

"When a bill is referred to a standing or select committee after second reading, it shall not be considered in committee until at least five calendar days after the referral, unless a waiver of this interval has been granted on the request of the minister or parliamentary assistant; but no such waiver shall be granted if 12 members register their objection by standing in their places."

I would like to submit to the Speaker that this motion indeed contravenes standing order 74 of our standing orders. Also, just as an aside, of course the minister, to my knowledge, has not requested that this five-day period be waived. The motion, as it's drafted, indicates that immediately following the passage of this motion, this Bill 47 will be considered by the general government committee on the next two regularly scheduled meeting days immediately following the passage of this motion. That would directly contravene standing order 74 of the standing orders of this Legislature.

I would also draw to the Speaker's attention, with respect to the point of order, that a motion was moved in the general government committee itself on October 28 of this year. The motion was moved, I believe, by Mr Wiseman. I'm not going to read the motion in its entirety. I will provide you with a copy of the motion, Mr Speaker. That committee is currently dealing with the Environmental Bill of Rights, Bill 26, and the last line in that motion reads that "having heard from all the witnesses on the existing list of requests, that clause-by-clause consideration of the bill begin on November 18, 1993." That motion having been passed by the committee itself, by I believe unanimous vote of the committee, this proposed notice of motion number 11 would directly contravene that motion of the committee as well and supersede it, I presume.

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I would also like to point out to the Speaker that the government has made it quite clear on several occasions during House leaders' meetings that it wants the EBR bill done like pronto, that the two opposition House leaders made a commitment, which we did, to the government House leader last summer that the Environmental Bill of Rights, Bill 26, would be dealt with in committee and clause-by-clause and third reading completed before the House adjourned on December 9.

It now appears that the Environmental Bill of Rights is not so important to the government. In fact, it's not so important, as they want to overrule the unanimous vote of the committee, moved by one of their own members. That EBR is now being shunted aside. After fighting vigorously to proceed with EBR week after week, immediately, now they don't care about EBR any more. "Shove that aside; we want to move in the photo-radar bill," contrary to standing order 74, contrary to a motion passed by the committee.

I would like to make just one final, short point with respect to this proposed government motion, and that is

that I received in my office this week, as is usual, a copy of the minutes from the last House leaders' meeting on Thursday, November 4, 1993. House schedule, item 3: Today, photo-radar, Bill 47. Liberals, three or four speakers remaining; Tories, four. It was anticipated that the debate will be completed on November 15; if not then, November 16.

Indeed, on schedule 2, in which the government House leader outlines the schedule for business of the House, it has second reading debate scheduled for both November 15 and 16, today of course being the 16th. The government House leader asked for a commitment from the two opposition House leaders. He wanted to know how many speakers we had. I indicated that we had four. I was mistaken; we only had two. We conveyed that fact to the government House leader yesterday.

Hon Brian A. Charlton (Government House Leader): No.

Mr Eves: Yes, we did. The Liberal House leader indicated, and I'm sure he will speak for himself, that he had three or four; he wasn't sure. He was mistaken; he had five. The net result was that there were seven speakers from the opposition parties. We had indicated to him that we had seven or eight.

The government House leader was quite satisfied with that. The government House leader indicated they had no speakers, but, lo and behold, the Minister of Transportation chose to inject himself in the middle of the debate yesterday afternoon, as is not usually the custom for ministers of the crown; they either start off the debate or terminate the debate. So I think that agreement we reached in last Thursday's House leaders' meeting is breached as well. So I'd ask you to take all those points under consideration, Mr Speaker.

Mr Murray J. Elston (Bruce): It's becoming increasingly clear that if we provide information to the government on the number of speakers that we have from day to day—in fact, I gave the names of the speakers who would be performing on the part of our caucus. I gave the actual names of the speakers. The member for Parry Sound had indicated that there were three, but only two available yesterday. The New Democrats actually chose to put themselves on the floor, doing something that we had not contemplated, taking up time from the debate which would have allowed more of our members to have spoken in contemplation of finishing up today.

The fact remains that this is really not about the second reading debate on this bill. In my view, the point of order ought to be sustained that in fact this type of clause cannot run roughshod over the committee business, having already been set by the committee. I know that this Legislature can direct certain things to be done in terms of scheduling of intersessional days. I know that we make agreements as House leaders to schedule certain things to go on there in the intersession by agreement, usually by unanimous agreement; we develop a consensus.

In this circumstance, this House is taking upon itself to violate the rule that has been specified by my friend from Parry Sound, ie, as to notice that is required before a bill may be considered in committee. It is actually breaking—

unilaterally, in my view—at the behest of the government House leader, an agreement which was reached among the three House leaders with respect to the Environmental Bill of Rights by taking away days which were considered for clause-by-clause for that bill and injecting Bill 47 for two days into the committee, which is now charged with dealing with the Environmental Bill of Rights.

If there is an absolute reading of what has gone on here, it would appear, by any type of examination of the spirit of the rules, by any stretch of a comparison of what usually goes on in the House leaders' meetings, to be a major violation of the tradition of this place. It is offensive in a way which I find to be particularly designed to take away the right of the members of the opposition to speak. There were only another three or four people who wanted to speak on this, and the people over there were fully aware of it.

Secondly—and this is what really is a very bad piece, in my view—it contemplates on ending any opportunity for publicly interested groups to come before a legislative committee and to talk about the various apprehensions that are surrounding this photo-radar bill. This is a new development for this jurisdiction. In fact, if you were able to catch some of the speech of the member for St Catharines, you will know that there is a huge, huge difference of opinion about whether or not electronic surveillance equipment ought to be allowed in other parts of our society. The instance brought up by the member for St Catharines dealt with the workplace. That means that is a major departure from the usual in this province, that no one from outside this Legislative Assembly will be given an opportunity under the auspices of this particular motion.

I find that obviously the problem is not so much on second reading, but it is in fact the government House leader's job to make sure that all opposition is silenced in committee, that in fact there is a timetable which precludes any type of debate. We will end up with but three more days to deal with this, and it seems to me that that will make the process here a faulty one with respect to this bill.

You might note as well, Mr Speaker, that any issues of constitutionality which may have been attacked in the committee will now not be able to be examined except if some person from the Ministry of Transportation comes in and says: "Oh, well, we've decided that it's not going to be a problem. If they want to challenge it, let them challenge it." It is the duty, it seems to me, of the people who have the job as members here to go into those types of questions and to have material available so that they can examine the constitutionality of these bills.

From my standpoint, this particular motion ought to be ruled as being out of order for the violations which were indicated by the member for Parry Sound. Indeed, I think it should be found even more to be out of order since it violates the agreements which had been reached among the House leaders and are unilaterally now jeopardized by this blatant override by the member for Hamilton Mountain.

Hon Mr Charlton: We've just spent an awful lot of

time listening to comments from the opposition based on its assumptive interpretations of the resolution and the fact that, in its view, in the first line of the second paragraph of the resolution—"that the standing committee on general government shall meet to consider the bill on the two regularly scheduled meeting days immediately following the passage of this motion"—"this motion" refers to the motion this afternoon rather than to the second reading motion completed in paragraph 1. It's the intention of the mover of this motion that that motion referred to in that line is in fact second reading. So I would move—

Interjections.

1510

The Speaker (Hon David Warner): Order, the member for York Centre.

Mr Gregory S. Sorbara (York Centre): It's not amendable.

The Speaker: I'll deal with the member's latter point later.

First, to the honourable member for Parry Sound and to the member for Bruce, it is always that points are presented logically and concisely to the Chair, and that I appreciate.

I think all three House leaders, and indeed I hope all members of the House, are fully aware of the Speaker's views with respect to the orderly conduct of business in the chamber and an opportunity for the three parties on a weekly basis to come to an agreement about how they will proceed. At the same time, members will know that whatever agreements are reached, they are unofficial, and that all the Speaker can deal with are orders of the House. So minutes from meetings, or indeed any pieces of paper that are presented, are not official documents and are not helpful to the Speaker.

Indeed, as the member for Parry Sound has stated, standing order 74, he would take it, would normally be in place. However, I draw his attention to the first line of the resolution, which states, "That pursuant to standing order 46 and notwithstanding any other standing order of the House...." So if this resolution which has now been placed before the House is indeed carried, then in fact the resolution states that whatever is contained in the resolution supersedes any other standing order of the House. That should answer his concern with respect to both whatever was done in the committee and indeed to standing order 74.

As to debate in the House which the honourable member for Bruce referred to, which occurred, the normal rules of debate would apply, and if parties have some particular agreement, which they do reach from time to time, normally they ask for unanimous consent and normally that's granted.

Finally, to the government House leader, if there are amendments to be entertained, they of course must be placed during debate when a particular member has the floor and wishes to place an amendment.

Does the government House leader have any opening remarks for this resolution?

Mr Bill Murdoch (Grey-Owen Sound): Mr Speaker,

I rise on a point of personal privilege. As the Speaker of this House, you're responsible for ensuring that the rights and the privileges of the minority members are upheld, and I ask you to hear me out on this point.

I'm our party's rural transportation critic. I have a responsibility to bring the concerns of rural Ontarians to the floor of the Legislature on transportation issues. We've been debating Bill 47, photo-radar, and I've been scheduled to speak on this bill today—the last speaker, I might add, for our party. However, because the government has shut down the debate on this major bill, I will not be given an opportunity to fulfil my responsibilities as the opposition critic or as the MPP for Grey-Owen Sound.

The members of this NDP government and the Premier promised to be open and to consult. I ask you to review whether this time allocation motion infringes upon my rights. I think it does, Mr Speaker, and I'm asking you to change this.

The Speaker: To the member for Grey-Owen Sound, indeed I appreciate the concern which he expresses. My appreciation for his concern cannot overshadow what is rightfully a resolution in order placed before the House. The standing orders are quite clear. The resolution which has been placed before the House is not out of order, and I regret I cannot be of any particular assistance to the member for Grey-Owen Sound. However, knowing the member as I do, I'm sure that his voice will never be silent and indeed will be heard in this and other debates.

Proceed.

Mr Murdoch: Mr Speaker, on a point of privilege: What has happened is you have taken my rights away from me, you and this government. They are just a bunch of hypocrites. That's all they are.

The Speaker: To the member for Grey-Owen Sound—

Mr Murdoch: That's what they are, Mr Speaker. They promised—

The Speaker: No, no, no. Would the member take his seat, please.

Does the government House leader have any opening remarks for this one?

Hon Mr Charlton: Thank you, Mr Speaker.

Mr Murdoch: They're all a bunch of hypocrites. I'm glad the Speaker agrees with me. You're all hypocrites.

The Speaker: The member for Grey-Owen Sound, it is not helpful to him or to the chamber if he continues to repeat unparliamentary language.

Mr Murdoch: It's not helpful for me to come down here and not be able to speak either.

The Speaker: You've been heard. I would ask the honourable member to exercise some restraint so that we can get on with public business.

Hon Mr Charlton: I'm more than certain that the member for Grey-Owen Sound will find the time to make his comments during the course of this afternoon.

Time allocation motions are motions that none of us likes to use. They are from time to time, though, in terms of the government's ability to schedule its business—

Mr Sorbara: It's our time to speak now.

The Speaker: Order.

Hon Mr Charlton: Perhaps the first comment that I could make for the member for York Centre is that this minister will speak opening this debate and the opposition parties will split all of the rest of the time. That's the agreement we've reached and that's how it will proceed.

None of us likes to use time allocation motions, but from time to time they become necessary in terms of the scheduling of government business. It has been clear since our discussions in late July that the government was determined to see this piece of legislation pass before we left here this fall, and I know we have different views of what's important in the process of debate.

But I also find it just a little mite strange when, if you sit down and read through the Hansards of the speeches over the five days on this bill, you will find roughly 50% of the time not even addressing the bill, members who need to get their name on the record. If our real concern is about the public and public input, it would have been nice—

Mr Chris Stockwell (Etobicoke West): On a point of order, Mr Speaker: I would ask the House leader of the government side not to impute motive on behalf of the opposition members as far as putting their name in the order paper and I would ask you to direct him.

The Speaker: The member for Etobicoke West, I did not find his remarks to be unparliamentary. None the less, an orderly debate is most helpful and perhaps the House leader would keep that in mind.

Hon Mr Charlton: The members opposite are right. I should not impute motives and I apologize for having done that. On the other hand, I do recommend to people that perhaps they look at the things that were said during the course of this debate on second reading, because they might find it very interesting considering the bill that was before this House.

Having said all of that, it was not the intention of this motion, as the House leader for the third party suggested, to disrupt the agreements that had been reached in the committee, agreements which the three of us took some time to help encourage to happen, and it is not now my intention to do that.

That's why I made reference earlier to the need to amend this motion to make it absolutely clear what my intention was, because my intention was that this bill should not go to committee as is the normal process around here until after it had been voted on at second reading, which would not require us then to waive notice or anything else in terms of the other issues which the House leader for the third party raised.

With that, and so that the anxious opposition members who wish to speak to this motion can get on with it, I will simply move my amendment and then yield the floor.

1520

I move that government notice of motion number 11 be amended by removing the words, "following passage of this motion," in the seventh line, and substituting therefor the words, "following the second reading stage."

The time slipped but I've spoken now. It is my understanding that the opposition will split the remaining time.

The Speaker: First, one thing at a time. The debate is now on the amendment rather than on the motion. Secondly, there's a question about allocation of time.

Mr Elston: It's my contention, on a point of order, Mr Speaker, that the change that has already been brought forward now contemplates a different set of circumstances than was originally provided in notice to us. It does in essence provide for time allocation but it changes the nature of the timing of the motion; it changes the nature of the debate around this particular amendment.

My view, therefore, is that we cannot now proceed to deal with this particular government notice of motion number 11 because in effect he has changed the nature of the timing of the hearings which are required in the committee. He has in fact changed his mind and as a result changed the nature of the notice that should have been given to us to prepare for our activities in the committee.

Mr Speaker, I ask that you rule that this debate now is out of order since we were not provided with the notice that is required, bearing in mind the change in the government's mind with respect to timing of this.

The Speaker: On the same point, the member for Parry Sound.

Mr Eves: I would like to concur with the viewpoint just expressed in the point of order raised by the honourable member for Bruce. I believe that by amending the motion, the government House leader in fact has created a different motion for which we need notice to be tabled before 5 pm, according to the standing orders of this place, so we can debate that resolution which indeed is a different resolution. It substantially changes the nature of the resolution and government notice of motion number 11. That's the reason why we had to receive notice and it had to be tabled by 5 pm yesterday.

I'd suggest that if the government House leader really wants to proceed this way, he table this particular notice with the Clerk before 5 pm today so we can debate it tomorrow.

The Speaker: Time allocation motion, as any other motion, is amendable from the floor during debate from either side of the House. It may be that during debate on this particular amendment there may be other amendments which any member may wish to place. The time allocation motion should not be considered in that respect any differently than any other motion. It happens to deal with time allocation but it's a motion which can be amended from the floor during debate. That's precisely what has occurred here. Other members may wish to amend it as well, so it is in order.

Mr Elston: Why do we bother? We have to comply. On a point of order, Mr Speaker: Why do we bother in this place looking at these rules? You require us to live by a general spirit of the rules, but you allow those people to get away with just any kind of change of direction at any whim they seem to like.

I don't like the idea that every time we raise reasonable points of order about the nature of their high-handed, heavy-fisted tactics in here to put through their legislation, you stand up and you protect them. This really does change the nature of this time allocation motion. Just because they want to get this stuff done doesn't mean you have to go high-tailing it to support every time they bring in a change of mind.

I don't have any other way to register my disappointment in the way we are managed in this place than to raise my voice to you because I can tell you, sir, that every time we have a bill which is of major concern, which raises a major public issue, we are stymied; they bring in their change of direction.

It was he who told us we wouldn't have particular opportunities to finish the Environmental Bill of Rights. Now he's changed his mind and he's going to do something different. That changes the direction of his intervention in the committee stages of our Legislative Assembly.

I don't know what else it would take to change the nature of the notice of motion to this House that he was prepared to intervene in the schedule of business, which we had made agreements as House leaders to carry out with respect to the Environmental Bill of Rights. If that is not a notice of a strange departure in the way this business is done, I don't know what it is. If it is not, Mr Speaker, a change in the nature of the motion in front of this House, then I don't know what could be considered to be ever out of order in view of the fact that you suspect that you have to sustain their every change of idea.

If they make a mistake, sir, it is not your obligation to protect them. It is their obligation to confess their mistake and refile, as we have had to refile notices of motion with the table when we have made mistakes. You are not supposed to protect the government. You're supposed to actually protect us and protect this chamber's ability to spend a long time if we feel like it's necessary when mild and major departures are made from public policy; and in this case, when the justice system is being changed, this is a significant departure.

I apologize to you in advance, Mr Speaker, for raising my voice, but my frustration with the manner in which this chamber carries on its business is no longer—

The Speaker: Would the member please take his seat.

Mr Elston: I cannot sit idly by and see us being rammed down like we are by these people.

The Speaker: The member should know that the Speaker will enforce the rules. If the rules are not adequate, then the rules should be changed. If the House wishes to change the rules, then the House will do so. The resolution is in order. There is nothing out of order about amending a resolution which is before the House, whether it is this particular resolution or any other. As I mentioned before, it is amendable from both sides of the chamber.

We are now on to the amendment. Does the House leader wish to speak to the amendment? Is there debate on the amendment?

Mr Sorbara: I guess the die is cast, isn't it? The

government can abuse the rules. It doesn't have to own up to its mistakes. I guess it was about two years ago or a year and a half ago that they rammed through—

Mr David Turnbull (York Mills): On a point of order, Mr Speaker: I came into this chamber after the minister had spoken. I'm told there's an amendment to the motion. I have nothing in writing. As the Transportation critic for the Conservative Party, I demand a copy of that motion. You've now ruled that this is in order, and yet we have nothing in writing, sir. How can we possibly debate this motion and this amendment if we have nothing in writing?

The Speaker: If the member would appreciate a copy of the amendment, it would be available from the table, and he is most welcome to avail himself of a copy of the amendment.

Mr Allan K. McLean (Simcoe East): On a point of order, Mr Speaker: I had prepared to be part of this afternoon's business in this House and speaking on this bill. I have prepared remarks that I wanted to make specifically with regard to this closure motion.

That has now been changed. Do the members of this Legislature not have any right to prepare themselves to take part in the debate that's taking place in this Legislature? Do we not have any right to be prepared when the House leader of the government party comes in and makes an amendment to a resolution that is before the House? Where are our rights as members on this side of the House with regard to changes such as this?

Mr Turnbull: You have every right to prepare yourself.

The Speaker: The member for York Mills will please bring himself under control.

Mr Turnbull: It would be useful if we had this amendment, Mr Speaker.

The Speaker: There may be others. In the interest of a more orderly way of conducting business, this House will stand recessed for 15 minutes, and during that time perhaps people can calm down. Whatever copies are required of amendments or any other information which would assist in an orderly debate can be attended to, and then we can have an orderly discussion.

The House recessed from 1530 to 1546.

The Speaker: The honourable member for York Centre.

Mr Sorbara: Welcome back, everybody. We've just had a 15-minute recess after a little dust-up between my friend from Willowdale and some of the members of the opposition.

Just to bring those of you who are tuning back in up to date, this is where we're at. The government has before this Legislature a bill which, when passed, will bring to Ontario a new great revenue generator called photo-radar. The government wasn't happy that the opposition was expressing its opposition to photo-radar, so it did what it gave itself the power to do about a year and a half ago and brought in a closure motion. This, for those of you who don't follow parliamentary procedure, really means a motion to end debate and discussion in the

Legislature and, they hope, in the province of Ontario on this very controversial issue as to whether or not we should have photo-radar in the province of Ontario.

They messed that up. The motion was incorrect, so they brought in an amendment to fix up that little error, to fix up their latest mistake, and technically, Mr Speaker, as you know, we are now debating the amendment to the closure motion to cut off debate on Bill 47, which is the bill that is going to bring the good people of Ontario something they have all been waiting for: an opportunity to get nabbed, to get nipped by photo-radar.

I guess it's within the rules that we are permitted not only to discuss this amendment, the tiny little corrective measure, and the time allocation motion, but to say a thing or two on the very substance of this debate; that is, whether or not we should have in Ontario this system of photo-radar.

We have borne witness to the Minister of Transportation, both in question period and during this debate, almost coming to tears when he describes how this new and brilliant initiative on the part of the government is going to enhance safety on the roads in this great province of Ontario. All of us who know anything about what this bill is really all about simply say: "Rubbish. Balderdash." We know what this is about. This is about an opportunity to impose a new tax on the people of Ontario, and in particular on the motorists in Ontario.

I'm actually of two minds about this bill. As a matter of substance, I abhor it. I think it is the most arbitrary, objectionable, obnoxious, repulsive piece of legislation, one of the most repulsive pieces of legislation that the government has brought in, because it just completely abrogates our very long-standing tradition in this province of being innocent until you're proven guilty in a court of law.

The government, with one piece of legislation, is going to set a horrendous precedent which says that this doesn't need to happen any more. "We've now got the technology," the government says, "to nab you with our cameras on the bridge, take a picture of your licence plate, and then several weeks later send you a bill for \$150, \$200, \$250, depending on how fast you were driving, and if you don't pay it, well, the next time you go to renew your licence, you're not going to be able to get it unless you pay the fine."

When the people of Ontario finally, together, realize what the actual terms of this bill are, that they are going to be the victims of this new photo-radar/taxation system, my God, are they ever going to give it to New Democratic Party members in the next election.

I just want to say a word or two about elections, because we've just gone through a general election in Canada and we all know what the results were. In particular, we know what the results were in Ontario. We know the disastrous showing of members of the federal New Democratic Party. But I want to give to you just my own personal experience about what I heard in the many, many days that I campaigned on behalf of candidates during this federal election.

Over and over again what I heard was: "When are we

going to get an opportunity to vote them out of office in Ontario? When are we going to get an opportunity to get rid of this Bob Rae NDP government? When is the election going to be?" They would say, "Yes, I think maybe I'll support the Liberal candidate, but, God, I can't wait to vote these guys out of office."

There were many reasons for that, but the great thing about this photo-radar bill is, if they didn't have a reason already to vote Bob Rae's government out of office, for those few people who were still wondering, I want to tell the Minister of Finance, who doesn't have the courtesy to attend this final day of debate on photo-radar, that the Minister of Transportation has given those final few people in Ontario reason enough to vote these scoundrels out of office.

If the social contract wasn't enough, if taking away the rights of a million public servants to bargain their collective agreements, that bill, wasn't enough; if the dumps issue, which is just a tragedy for the people in my riding and all around the greater Toronto area, wasn't enough—and frankly I think it was enough; if the change on casinos from a party which had proclaimed its opposition to legalized gambling as a tax on the poor wasn't enough; if the change on public auto insurance wasn't enough; if this new little mistake, this white-males-need-not-apply policy wasn't enough; if the Treasurer's budgets—in budget after budget the Treasurer has imposed new taxes and created more economic catastrophes—weren't enough; if the sham of Jobs Ontario wasn't enough—and frankly I think that any one of them would have been enough—I'll tell you, Mr Speaker, in terms of electoral politics, photo-radar is going to be enough.

Just imagine what they are doing. I want to tell the citizens of Ontario what they can expect after this bill is imposed. Here's the scenario:

You're on Highway 401. It's about midnight. It's a Tuesday evening. It's a clear evening. You're heading home. You're in a little bit of a hurry. You're travelling at the speed that people normally travel at under those circumstances on Highway 401: You're travelling somewhere between 125 and 130 kilometres. You arrive home. Nothing has happened that you know of.

But what really happened is that there was a camera on a bridge overlooking the 401, and it took a picture—it can do this at night-time—of your licence plate. Three or four or five weeks later, you, as the owner of that car, will receive a bill in the mail for about \$100 or \$150 or \$200, depending upon your speed, and you will be mad. You will be furious, because the system that you're accustomed to and the system that you thought fair was that if there were a radar trap there and you were stopped and you gave an explanation to the officer, there would be a decision made about whether or not a charge would be laid. If you were still offended, you could take that charge and argue it in a court of law. All of that is gone.

You know what's worse? It doesn't even matter if you were driving. Your son was driving, your daughter was driving, your wife was driving, your employee was driving, your employer was driving—somebody was driving your car, but that won't matter. That person won't

get charged. You're the owner of the car and you, sir, are going to get charged.

It doesn't matter if the person who was driving the car was in the midst of an emergency and there was really quite a justifiable reason for getting from A to B at 120 rather than 100 kilometres an hour. They're going to nab you, sir, because you're the owner of the car. It's the first time in history in Ontario that we've said the person who is liable for a traffic violation is not the person who was violating the law; it's the person who owns the car that was involved in the traffic violation.

I'll tell you something. This has made people in my riding and around the province, when they think about it, just about as mad as anything that this sick, this weirdo, this idiotic NDP government has done in the three-plus years that it's been in power.

I want to read to you a letter I received from one of my constituents which just sort of sets the tone and the flavour of the phone calls that I've been receiving in my riding and the letters that I've been receiving in my riding about photo-radar. It's addressed to Bob Rae, the Premier, and Gilles Pouliot, the Minister of Transportation. It says:

"Gentlemen:

"I must make you aware of how enraged I am with your proposal to enact Bill 47 into the law of this province.

"How dare you assume the right to abolish 1,000 years of British common law by dumping precepts like the right of presumed innocence until proven guilty and the right to confront your accuser in court?

"How dare you thumb your nose at our very Constitution? You know this bill is unconstitutional, and yet you insist you are going to enact it anyway.

"No way will the public be able to check if your equipment is accurate. Weeks later, no one will know how a machine may have been operating on a given day or if it was affected by heat, cold or any other factors. Breathalysers have proven to be faulty on many occasions and some models have been taken out of use...not admissible in court. How will we be able to find out if your machines are accurate, and if they are not, how many people will be forced to pay fines, even though they may not be guilty of an offence?

"This bill is nothing short of—literally—highway robbery." She says it's highway robbery, and that's exactly what it is. "Apparently, it has nothing to do with traffic safety, as there are reports that have found that speed enforcement has never been shown to have anything but a negative effect in correlation with crash frequency.

"It has nothing to do with accident prevention either," she writes. "If a driver is in any way impaired while speeding, a police officer is able to assess this at the scene and prevent the speeder from driving any further, thus possibly preventing an accident. A picture of a licence plate two weeks later does nothing at all.

"Since I am not the sole driver of the automobiles registered in my name, I am furious that I will be put in the position of having to keep a daily log of who is

driving each car at all times, and then be forced to collect fines on behalf of the government from any one of the number of family members who may have been using a particular car at the time of the alleged offence.

"Clearly, this bill is both illegal and immoral. It is nothing more than taxation without representation or, at its worst, piracy—armed robbery. The criminals—the thieves—are the government of this province who have set themselves up as above and beyond both the Constitution and common law of this country. If this Bill 47 is allowed to pass, Ontario will have been denied the very basis of its existence. We will have passed from democracy to tyranny with barely a whimper," certainly barely a whimper. Debate is being cut off as of today.

"I demand that Bill 47 be thrown out.

"I refuse to live in a 'Big Brother is watching you' society. My ancestors came here for freedom, not rape and pillage by government.

"This bill must not pass.

"Very angrily sincere, Sandra Winton," who lives in my riding, sir. That's just one of the views. That's just a taste of the anger that I have heard from my constituents about this little tax grab.

Now, the minister says: "No, no, no, it's not a tax grab. This is going to enforce safety." I talked to one of York region's finest a few days ago. Actually, I was at the Remembrance Day ceremony and I said—

Mr Stockwell: Bill Attewell?

Mr Sorbara: No, I'm sorry; it wasn't Bill Attewell. It was an officer of York region's police force. I said to him: "What do you hear about photo-radar? What do you think about it?" He sort of chuckled and he said to me, "Oh, my, I hear it is a big, big revenue generator." A big revenue generator. This is what it is. It's an opportunity to arbitrarily tax owners of automobiles without bothering to charge the person who committed the offence.

1600

The government says, "Oh, no, this doesn't change the way in which we go about business." But let's look at it, let's really have a look at where this leads. If you can do photo-radar—you've got a camera, you take a picture of the licence plate, you send out a bill; if the person doesn't pay it, he or she loses the licence—why not just use the same kind of procedure for every other traffic violation, more serious and less serious than speeding? Why not just hire some NDP flack—they're all going to be out of work pretty soon—to stand at any busy intersection, day or night, where there's a stop sign, and for every driver who doesn't come to a full stop, just click, take a picture of the licence plate, and send him a bill? Why bother having police officers enforce the stop signs of the province?

Let's take another traffic violation, let's say, passing on the right. It happens all the time. You see it all the time on the highways. It's a bad thing to do. Why not just have someone standing on the side of the road taking pictures of licence plates? What need is there to enforce any of the other traffic violations in the Highway Traffic Act? There is a whole host of them. Those of us who drive the roads and highways of Ontario know that there

are many more things more serious than travelling at 130 kilometres an hour on Highway 401. There are a lot more serious offences.

If you set the precedent with photo-radar, then, the precedent having been set, you arbitrarily move into a whole bunch of other areas, without due process, without the normal procedures for identifying and apprehending and charging the person who committed the offence. You didn't yield at a yield sign. No need to hire a police officer. My goodness, they're more busy doing other things. Just get some two-bit NDP flack, buy him or her a camera and let them take pictures and send the driver or the owner a bill. That's the precedent that is being set with photo-radar. There's nothing unique about speeding. It's just one of many offences under the Highway Traffic Act in the laws of the province of Ontario.

If we pass this, then we say it's okay, it's all right to do it with any number of offences, not just the Highway Traffic Act. It's not just a highway measure. We could go into other laws in the province of Ontario and say: "There's no need for a police officer to identify an offence. Just take a picture and send out a bill." That's the kind of Gestapo, that's the kind of police state, that's the kind of arbitrariness that is in the philosophical foundation of this bill.

The NDP say: "Oh, no, no, we would never do that. We would never consider enforcing the law in that way." Well, you're doing it right here. You're saying to the people of Ontario that it doesn't matter any more if we don't want to go through the expense of actually stopping an alleged offender and issuing a summons. It's that very precedent, it's giving the benefit of law to such an obnoxious and arbitrary provision, that leads a society like ours down the road to other arbitrary provisions.

It's not, I think, entirely coincidental that we are debating this at the very same time we see that obnoxious ad in the paper which says, "Healthy white males need not apply." It's not coincidental that the government that brings you photo-radar and white males need not apply hiring provisions is the same government that says: "A collective agreement no longer has substance in the province of Ontario. They can be overridden at the whim of a Premier. We can tell a million public servants that the agreements they bargained are no longer the agreements they are going to live under."

It's not coincidental that the same government that brings you photo-radar and the social contract would arbitrarily say almost two and a half years ago, "We will personally make a decision to dump Metro's garbage in York region."

It's not coincidental for a party that for years and years said it was opposed to creating an economy based on chance and based on gambling to be the chief sponsor of a whole system of casinos around the province of Ontario. We're going to trade jobs and technologies to give people opportunities to deal blackjack for the rest of their lives in Windsor or wherever else we are going to get casinos.

It's also not coincidental that out there in every community in Ontario there is a groundswell of discontent and anger against this government the like of which

I have never seen in my nine years as a representative in this House and, frankly, as a citizen of the province of Ontario over the past 47 years. People want an election so badly they can taste it. I want to tell my friends on the government side that if you thought it was difficult for your friends the federal NDP members to get a vote or two back on October 25, just you wait: They can taste it.

I was telling my friend from Wentworth East that he might be one of the two or three people to survive. My prediction is that after the next election, there will be perhaps one or two New Democratic Party members left in this House. I acknowledge that he, in the midst of his mild heckling, has had the courage to actually now and again stand up and oppose publicly what his government has done. There are others within the party—I think of Mel Swart, the former member for Welland-Thorold—who had the courage to say: "This is a disaster, an ongoing disaster. This is not what the people voted for."

When the people voted on September 6, 1990, they did not expect the social contract, they did not expect the disastrous garbage policies of the New Democratic Party, they didn't expect casinos, they didn't expect the terrible recession that Bob Rae's government has been aiding and abetting over the past three years, and they didn't expect photo-radar. My God, they did not expect photo-radar.

I have to hand it to the Minister of Transportation. If there's anything that could confirm over this last year of this government's mandate this terminally ill government, it will be the bills that people get, having had a picture of their licence plate taken on some lonely highway some late night, a bill—it could be as high as \$200 or \$300—with a notice saying, "Oh, yes, you have a right to fight this if you can ever remember whether you were there or not and who was driving."

1610

He could do something just a little bit worse. He should put his own picture at the bottom of the summons, just to remind the people that it is Gilles Pouliot, the Minister of Transportation, and Bob Rae, the Premier of Ontario, who bring you this nasty little piece of business. Politically, I couldn't think of anything that will be more damaging in this final year than this little initiative.

The argument that this is about safety does not hold water. The argument that this will change driving habits in Ontario is a crock of you know what. The argument that this is somehow within an overall strategic plan to make Ontario the safest jurisdiction in all the world is a load of bunk.

The truth of the matter is that this is about imposing a new tax, a new levy, in a situation where people are up to here with taxes and depression and unemployment. This is a revenue generator that the Treasurer does not have to announce in his next budget. He has made the Minister of Transportation his henchman, a new tax collector.

I want to tell you something: It saddens me that we use closure once again to drive this measure through. The only little bit of joy that I can take in this bill is that for that small group of people who still might have thought there was some value in offering support to New Demo-

crats in the next general election, well, frankly, this is the one, this is the straw. "This will be enough," the people will say. They will say, I tell you, sir, in the next election, "Get these scoundrels out."

Other than that, I want to tell you that I am going to vote against this bill. I will argue against it in the short committee life that it has and I will advise my constituents that this is among the very many reasons to seek an alternative when, in this democratic society, we have an opportunity to replace a mischievous, incompetent government.

Mr Turnbull: I rise today on what I consider to be a rather obnoxious motion by the government, a government which, when it was elected, came to power and said it was going to be different. Anybody who listened to the claims of this government when it was electioneering in 1990 will know all of the protestations made by Mr Rae as to how they were different.

I would like to read at the beginning of this debate a little bit of the throne speech from 1990, but first of all, just for the benefit of anybody tuning in perhaps and watching this debate, what we are doing is debating a motion to cut off any further second reading debate on photo-radar. Photo-radar is a method which some people have suggested is quite Orwellian in its scope in the fact that the government will now start photographing people and you will get through the mail, some weeks, later a challenge that you have broken the law, which will break the traditional method we have in the English-speaking world in jurisprudence that you have the right to face your accuser.

I have to say that while I believe the vast majority of Ontarians are thoroughly against this legislation, there are some people who, for reasons I will outline in this debate, believe it is the right thing to do and I would not like to portray it as being impossible that there are two sides to this picture.

During the House leaders' meeting last week, it was agreed between the government House leader and the House leaders of the opposition parties that debate would end on photo-radar either Monday or Tuesday of this week, and here we are on Tuesday. During Monday, at 5 o'clock, a motion was brought forward to cut off debate.

Isn't it strange, Mr Speaker? The government already knew that the opposition had almost expended all of its speakers on this issue, but they brought forward closure. Why did they do it? I would suggest it wasn't just to cut off the debate in second reading. Most importantly, it was to cut off any public scrutiny of this.

Anybody who knows the way this House orders its business—after second reading, it is the tradition to send bills out to committees. Those committees advertise in the press their intention to scrutinize a particular bill and ask for any public submissions whereby those people can phone or write to the clerk of that committee and notify their intention that they would like to speak to a particular bill. But the government has brought forward a motion which suggests—and I will just read a couple of key passages:

"...the Speaker shall put every question necessary to

dispose of the second reading stage of the bill without further debate or amendment." And then, "That the standing committee on general government shall meet to consider the bill on the two regularly scheduled meeting days...."

The first of these days is to be Thursday of this week or whenever we have finished second reading. It appears, because the government has the numbers to pass this motion today, that we will have finished debating second reading at the end of this debate.

Therefore, we know this will be sent to a standing committee for two days of discussion starting this Thursday. That does not allow for any public input because we will need at least two days of debate of clause-by-clause as we go through this fairly complex piece of legislation, a piece of legislation which in fact has all kinds of implications in terms of the administration of justice in this province. It isn't just photo-radar because, like everything this government does, it has packed a whole lot of extra goodies in there that require careful reading to ascertain.

Let me go back to the whole question of open debate and the fact that the citizens of this province are being denied the opportunity to have any public debate of this. I'm reading from the throne speech of 1990, a throne speech which, of course, as everybody knows, was written by Mr Rae and his advisers. I extract one section which says:

"As a group of people accustomed to being on the outside of the established power structures in Ontario, my government will open Queen's Park to those who have never before had an effective voice in the corridors of power. It is a government that will listen to the people and respond to their needs to the best of its ability."

I hear somebody jabbering across the floor: yap, yap, yap. Why are you closing off debate, sir?

I further read, under a section which is entitled "Integrity":

"My government's first challenge is to earn the trust and respect of the people of Ontario." I would say you have lost any trust you may have had. "My government's integrity will be measured by the way this government is run and our relations with the people we serve. Our task"—and I particularly point you to this sentence—"is to guard against institutional arrogance and the abuse of power wherever they exist."

What better example of institutional arrogance when the minister knows full well that there is so much controversy over this bill? It is institutional arrogance that they will not allow any public scrutiny.

This throne speech goes on to read:

"We must create a greater sense of integrity in the work of government. We are under no illusions that this is easy, since the public remains distrustful of governments and other large institutions. It is our job to address that cynicism and to overcome it. When my government makes mistakes, it will admit them."

Another wonderful quote is:

"Public frustration has as much to do with decisions

postponed as with the sense that the people have not been heard. We will look for new and better ways to hear and respond to the voices of the people."

What do they mean by looking for new and better ways to hear and respond to the people? They don't even want to use any of the existing methods of listening.

Another wonderful section you might be regaled with is:

"My government appreciates the contributions that its predecessors have made to the life of the province. It is a tradition we will respect. We want the advice, assistance and ideas of the opposition parties."

1620

What could possibly be a plainer example of government arrogance and contempt, not only for the opposition parties but for the public at large, than this motion today to cut off any further debate when it was already known that today we would have finished with all of our speakers, but in addition to that and more significantly, the fact that we are facing the prospect of no public hearings? With two days in committee it will be barely enough to go through clause-by-clause of this very complex piece of legislation.

There is outrage in the public. The only piece of legislation that this government has worked on so far which has produced as much correspondence to my office has been Bill 40, the labour bill, and we all know how much correspondence there was with respect to that legislation. That was over the period of months as people became aware of this.

This has been brought forward for first and second reading since the summer recess and now indeed we're being told that we're going to have two days of discussion in committee, with no public hearings, and one day back in third reading. This is how well this government wants to listen to the wishes of the people.

The correspondence I have had has been overwhelmingly against this legislation, and nobody in this House has the right to suggest that I am not on the side of road safety. You will recall that, ever since I became the Transportation critic for my party, the Progressive Conservatives, in the last two years, I have consistently been the voice in this House demanding that the government move forward with graduated licensing, and finally it made some modest move forward this year. They haven't brought in the legislation, but at least they have finally responded after two years of my urging that they bring forward legislation.

I have been at the forefront of road safety. It's very interesting. I have a copy of the closing statements by Mr Dadamo, the parliamentary assistant, which I believe he's going to read at the end of this debate, and he talks about the real importance of this legislation, talks about road safety being a complex issue and talks about some 1,100 fatalities that occurred on our roads in 1991.

I'm saying to you that this party, the Progressive Conservatives, will always work assiduously to ensure that the roads of this province are as safe as we can possibly make them, and that was the reason, and the sole reason, that for the last two years I have been pushing

this government to move forward with graduated licensing.

But when we come to debate of photo-radar, we have a very different type of animal. We have a piece of legislation which is very suspicious in terms of what it wants to do. It has been suggested by virtually everybody who has spoken out against this legislation that the government is using this as a revenue grab. The government members have said, "No, that's not true."

Here is the litmus test as to whether that is true, and the litmus test is as follows: If indeed your concern is only with road safety, then it is quite simple. Dedicate all of the extra revenue that you will achieve through this measure to the police force, not instead of some other source but as additional funds for the police to use for safety measures.

I have challenged the minister over and over again in questions and also in debate in this House and yesterday when this motion was brought in and the minister has never responded. In other words, the government has ignored it and by doing it has failed the litmus test as to whether or not this is a revenue grab.

There is great evidence that the loss of points is probably the greatest way of achieving road safety in terms of getting people to comply with the speed limit. Loss of points is not a feature of this bill. The government says the reason it can't assign any points is because this is a faceless object which can't tell who was driving the car.

If that were true, then we would first of all be undermining the fundamental right that I spoke about earlier that one be able to face one's accuser. If indeed the government was prepared to accept that potential constitutional challenge, then we turn to the question as to why it wouldn't levy points against the driver of the car. They say, "Because we don't know who the driver of the car is."

In debate I have also challenged the government that if this was a concern, they could follow the example of Sun City in Arizona which allows the owner of the vehicle, upon receiving a photo-radar ticket, to go to the police station and make a deposition as to who was driving the vehicle at that time. If you had that mechanism, you would then be able to assess points against the driver, not just the owner.

This would solve many problems. It would solve the burden that exists for car rental companies. The driver may be long gone by the time this government or in fact any government gets around to sending the speeding ticket because the fundamental problem is that speeding tickets and all other documents that flow from government arrive late because government doesn't work very well.

If the government were indeed concerned with safety, then it would make sure that the ticket went out the very next day to the owner of the car and, in addition to that, it would allow that the owner of the car make a deposition as to who was driving, if the owner wasn't driving, and we would assess points. That is the best way of discouraging people from driving unsafely.

Who will be hurt by this bill? Strangely enough, it's that constituency which the NDP has always suggested it speaks for, the poor and the downtrodden, because the affluent can afford to pay the fine and they can drive at speeds with impunity, knowing that all that will happen is that there will be a ticket coming through the mail and they can pay it and perhaps they can even expense it. But those people who don't get expenses and don't get high salaries will not be able to do that. They will be the people who will suffer from this legislation, not the affluent.

I have given two concrete examples, as is the way that I always aim to proceed in this House, of how the government can address these problems with the legislation. I'm not opposition for the sake of opposition. I'm giving concrete examples. Just to reiterate it, in case anybody on the government side has missed the point, if you want to stop people speeding, you will assess points and those points should be to the driver, and to ensure that you get to the driver, you will allow the owner of the car, upon receiving this ticket, to make a deposition as to the name of any other driver.

In addition, I have challenged the government that if this isn't just a revenue grab, as we know it is, then indeed let the government come forward and say, "Yes, we're going to dedicate every extra penny that we get from photo-radar to additional funds for the police for road safety." None of these concerns has been responded to by the government, which only enforces the perception not only of the opposition parties but indeed of the public that this is a revenue grab of the worst kind.

1630

I'd like to just talk for a moment about what some of the witnesses who would like to be able to come to public hearings and will be denied the right to public hearings might have said. Here is a letter from a Dr Hal Kershen from Willowdale, Ontario, and it's a copy of a letter sent to Bob Rae, the Premier. It says:

"Dear Sir:

"As someone who recently lost a teenage son in a motor vehicle accident, I must protest your Bill 47 as virtually ineffective in acting as any form of a deterrent with respect to highway accidents and/or mortality.

"It would have done nothing to protect my son and most other victims of motor vehicle carnage.

"There is no doubt that with nothing more than an economic penalty, it is nothing more than a tax on the right to speed. Critics are quite correct in using the terminology 'tax grab,' in which I am victimized daily by your government."

Mr Len Wood (Cochrane North): Send him back a letter.

Mr Turnbull: I find it somewhat obnoxious that one of the NDP is heckling as I read the letter from a bereaved parent, somebody who lost his child on the roads.

Another paragraph in the letter reads:

"It would be sad to accuse and convict someone on burglary from merely being the owner of a vehicle that was seen carrying goods away from a break-and-enter."

Let's just contemplate what is being said there. If anybody were to suggest that we would charge with break-and-enter the owner of a vehicle that had been used in the execution of a crime, I think there would be absolute outrage, and I would hope there would be outrage from the NDP caucus, but I'm not sure. I'm really not sure, because they don't seem to be listening to what the public is saying.

I cannot believe that the government members have not received many of the same letters that I have received. As I said, this is a copy of a letter which went to the Premier. I know that my office has been absolutely deluged with people wanting to speak to photo-radar. The majority, as I have said before, want to speak against photo-radar, but in fairness, some want to speak for it. It would be appropriate that we scrutinize this bill in the most reasonable way so that all of the opinions can be brought out and can be tested against expert opinion.

I go on with that same letter:

"As a survivor of a traffic fatality who has great personal interest in reducing traffic carnage, I support measures which are sensible and proven in order to prevent the continuing pictures of destruction which I observe daily in the press. Your Bill 47 does nothing in this direction except to infringe upon the rights of myself and my family and friends solely for the purpose of acquiring revenues for your government in your on-again, off-again philosophy of 'Spend our way out of the deficit', 'Decrease the deficit by spending cutbacks.'"

When we contacted the writer of this letter to ask for permission as to whether I could read this into the record today, the doctor's comments were that this was a letter he dashed off in the heat of the moment. If he could, he would love to polish it, because he thinks he could bring out some of these points even more poignantly. But this is a letter straight from the heart of a bereaved parent, a parent who doesn't believe that photo-radar will work and does believe that this is a tax grab.

What more valid a person to speak to than this bereaved parent? And what more valid a person to speak to than the people who are contacting my office who have taken the trouble to say that photo-radar is the right thing to do? We should listen to the public, but instead what we're doing is closing down debate, not just of second reading, but we're not allowing any public input.

I was absolutely appalled during question period today when my leader, Mike Harris, asked the Minister of Transportation about this absolute about-face with respect to the government's position that it would have open government and yet it was not allowing public input, and the minister suggested, "Oh, yes, we're allowing public input." Twaddle. Absolute twaddle.

They've allowed two days. Two days will be barely enough for clause-by-clause, because indeed we have been told in the motion today that the question "shall be decided without debate or amendment, and at such time the bill shall be ordered for third reading." Whether or not we have heard all of the clauses in committee, this bill will be ordered for third reading debate, with no allowance for committee of the whole debate of this.

We have no time for public input, and indeed, even if we had time, we have no period of notice in which to inform the public. For anybody who might be watching or subsequently reading this debate, I will point out that the normal course of events when we have public input is that notice is posted in papers across the province stating the time and the committee in which a given issue will be debated, allowing for those people to contact the clerk and set up a time at which they may join this important discussion and at least give their contribution. This is not being allowed in this instance.

We turn again to the fact that the government recognizes, obviously from the weight of mail it's receiving, that this is not going down very well with the electorate. So they want to brush it under the carpet and get on with their monumental tax grab, and that is what they're doing. They've moved to make sure that all further debate of a substantive nature is cut off in second reading. They have moved to ensure that there will be no public input whatsoever and it will be ordered back to the House for one day of third reading debate.

It used to be the tradition of this House that there was very little debate at third reading, and the reason for that was because they would fix it beforehand. But this government has traditionally not fixed anything, and that is why third reading has stretched out.

But let us go back to the very beginning of the piece. This is an obnoxious piece of legislation and it's an even more obnoxious motion to cut off debate by Her Majesty's loyal opposition. The minister and the government should be sanctioned for this, but the only sanction this government understands is being locked out at the polls. Of course, it is the Premier's choice as to when he goes to the electorate. We don't believe that he will go until the very end of his mandate, because he knows how disgusted the public is with this government that told a great story as to how open it was going to be and that has absolutely closed down the process by which government could listen to the people.

The safety arguments should be aired with the public, but I would suggest they're questionable. If they were valid, I would bow and I would vote for the legislation, but I cannot vote for this the way it is. In fact, I have to say that as debate wore on, I became more and more convinced of the government's ulterior motives. I don't believe this is a safety question. I believe this is a tax grab of monumental proportions.

It is also significant that we're moving to this Orwellian society, which was predicted for 1984 but apparently is going to arrive in 1993, a society which will take pictures of its citizens—in fact, it isn't even the citizens; it's the vehicles of the citizens—and will charge them and will not allow for any input as to who the real driver was, will not allow any modifications to ensure that safety issues are addressed by the police, because the police are underfunded. They're underfunded because of the actions of this government.

1640

When this government speaks about the 1,100 fatalities in 1991, they could have addressed that by bringing forward graduated licences much more expeditiously.

Instead, they didn't. We still don't have the legislation before us. For two years I've been asking for that. But photo-radar gives revenue, and revenue is very interesting to this government. They have taken every step they can to seize as much money as possible, and that is the true intent of this government.

I would suggest to anybody who watches this debate that they should bombard the government with letters demanding public scrutiny of this policy, and I hope they will send me, David Turnbull, the PC critic for Transportation, a copy of that correspondence because we will certainly use it, take it down and use it against you, as the police say.

Mr Steven W. Mahoney (Mississauga West): I want to take an opportunity to put some concerns on the record. I enjoyed the remarks of the last member, particularly with regard to the issue of the money, because I hear the members in the government benches saying that this is not about money, that they're not looking to simply grab taxes.

I've flown a proposal in the past—can't seem to get it up on to the table, but I think it would work here. That is, when a government introduces a revenue generator—and there's another word for revenue generator in government. What might that be? This is a quiz. It might be "tax." When a government introduces a tax, they should say specifically how much money they want to raise, how long it's going to take to raise it and what they're going to do with the money.

I think that's the big question with the public. They say: "We don't have any idea." There was great fanfare in the budget where the Treasurer announced that he was eliminating the dreaded tire tax and the commercial concentration tax. Both of those taxes generated total revenue of about \$150 million a year. They replaced it, without quite the same fanfare, you understand, with an insurance tax that would generate \$715 million a year. So they went from \$150 million in a couple of taxes to one new tax of \$715 million.

While this is not a debate about the insurance tax, I use that as an example. Tell us what you're going to do with the money. If indeed you're going to fund your annual \$10-billion deficit, tell us that's what it's going for, show us a plan, how long it will take to eliminate it.

Let's take this example. If in fact the government was being honest and would admit that photo-radar is clearly a tax, clearly a system used to generate revenue, tell us what you're going to do with the money. I would make a couple of suggestions. Do you want to talk about improvements in safety? Do you want to talk about better driving conditions? Come on out to Mississauga and I'll show you Highway 403.

Maybe if you were to take a specific amount of the money that you raise from photo-radar and say you're going to put it into improving safety, how about some lights? We could use some lighting along that stretch of road; better pavement—it's breaking up. I've had all kinds of complaints about people getting their windshields chipped. There have been a number of accidents. The member opposite says he's experienced the same thing.

There have been a number of accidents. I've often wondered how many of those accidents were caused by flying debris coming off the highway from all the trucks that are using it and smashing into the windshield of a car, causing the driver to veer off the road or into another car. I'm quite sure there would be a number of accidents that would have occurred as a result of that. You can solve that problem by putting money into improving the road, into improving the lighting.

Let me just take the example of what happens when someone takes a snapshot. The driver could be one of our kids. The driver goes on home, doesn't know that he got a speeding ticket. The owner of the vehicle gets the ticket in two or three months' time.

What does that do to the driver of the vehicle? I suggest to you that if that driver of the vehicle is actually pulled over by a police officer, there's a lot more—

Interjection.

Mr Mahoney: The member's yacking away; it's quite interesting.

There's a lot more impact on that driver than someone else who owns the vehicle getting a ticket in the mail three months from now. It's fairly intimidating. Think about it. You get pulled over. If you don't have to get pulled over to get a ticket, what does that do to drinking and driving?

I think our society has been extremely successful in eradicating in many ways—we haven't eliminated it—but in cutting down on the number of fatalities on our highways due to drunk driving. Does photo-radar add to that in any way whatsoever? As a matter of fact, if you know that all there is out on Highway 403—and you've got to go home from a bar somewhere—is a camera, I don't know that that's going to deter you from going out on the road at all.

I think the issue of safety—this government is throwing it up as being, "This is the reason we're doing it." Does it make the roads in the Caledon Hills any safer, where all those kids were killed in that terrible accident on Mother's Day last year? Are you going to put cameras on all the country roads?

As I understand this bill, you're going to experiment with a couple of busy highways in the GTA. I guess you're going to put one on the 401 in an unmarked car and one on the 403 maybe. Why? For safety, or because that's where the largest concentration of vehicles happen to be, so you can snap, snap and get a lot of revenue coming in. It's clear.

What about northern Ontario? Look at the carnage on the highways in northern Ontario. Talk to me about Highway 69. I go to Parry Sound often. That system of pulling over that was originally put in, I guess, under the Conservative government—if people understand how the system works where the slower vehicle pulls over to allow the vehicle going a little faster to go by, or the trailers pull over or whatever, if that system works—well, I think it did improve the situation, having that system, but it doesn't work.

What's happened? The government has taken down the signs to explain to the many tourists that now use our

roads all year round—it's not just in summer. In fact, you see the signs with a great big tarp over them, telling the slower vehicles to pull over. Why?

How long is it going to take us to get the four-laning of Highway 69? The member for Sudbury East would know. She travels that road a lot. For years and years and years we have been seeing that road go a little bit at a time. If you want to take the money you're going to raise, tell us you're going to improve Highway 69. Tell us you're going to four-lane that road at least all the way to Parry Sound and ultimately all the way to Sudbury.

If you really believe this is a safety issue, take the revenue and put the money into safety. But I don't see that happening. What do we have here? We have the black hole of government revenue. The Minister of Finance needs money, so we're going to bring in a system that some people—I know it's in use in Scandinavia and in Germany and other places. But let me tell you, if you want to use that example, on the autobahn there's no speed limit, period, in Germany. Why don't we do that? You can't have it both ways.

The reality is that this is an infringement upon people's rights. If it specifically was going to be where the money would be used and put into the infrastructure, where I honestly felt it would save lives, then maybe I'd reconsider my feelings on this. But we don't believe that.

Fundamentally, the problem is that the public, and certainly I, don't trust this government. We think this is just another trick. We've supported graduated licensing. We're not against everything the government does. The graduated licensing principle—I'm the father of three sons. I know what it's like to lie awake at night and be frightened and worried that your kids aren't home and to wait to hear the garage door open to know you can go to sleep. It's a terrible thing, but it's part of parenthood.

I understand the concerns people have. What we want is safer roads; we want better lighting; we want more policing. If you're going to generate additional revenue through something like photo-radar, then be specific. Tell us how much money you're going to generate and where you're going to spend the money to try to effect the improvements.

There are many areas in the province: I think Highway 116 in Ottawa is another example.

1650

Mr Elston: Highway 16.

Mr Mahoney: It's Highway 16 in Ottawa. There are many examples where the members from that community have asked the government for some time now to four-lane that road, to improve it. If you've ever been on it, and I have, boy, you get on it and it's just a temptation to put your foot down. That's not what this particular bill is about.

I accuse the government of simply, in typical fashion, wrapping itself around an issue that is not the issue at all. Don't try to tell us you're going to save lives with photo-radar. Tell us you're going to save lives with improved capital spending on roads. Tell us you're going to save lives with graduated licensing. I accept that. Speed it up. Let's get it into place as soon as we can. Tell us you're

going to save lives with better education for young drivers, with better education for all drivers.

We have drivers who come from all over the world to this country. Perhaps they drove on the opposite side of the road. Do we have a program that brings them in and teaches them how to drive in Canada? No, we don't. We just simply turn them loose. Maybe that would be an area we should take a look at.

There are many things the government can do to try to improve the quality of driving, the safety out there. In the limited time that's available to me, I want to tell you that I don't think photo-radar is one of them. This is a trick by the Finance minister to pad his financial problems, to solve his financial problems. It may well do that. I can see millions of dollars in revenue coming into the government as a result of this. Let me tell you something else: You will see it when you go home in your constituency weeks and when the House rises and your phones in your community offices ring off the wall from people who are getting speeding tickets in the mail, and they didn't even know that you jammed this through.

In closing, let me say that jamming it through is really what we should be debating. Again in typical fashion, when this government took power, it changed the rules. They put limitations on the length of time we're allowed to speak in this place due to, I guess we could call it, the Kormos bill, due to the activities of Peter Kormos when the NDP was in opposition. They've eliminated any attempt or any ability of the opposition to properly and fully debate. Just to exacerbate that, this current House leader has brought in a motion of closure, which is really what we're talking about today.

I know it doesn't bother the members opposite, because they want to effect closure on every bill the government introduces. This is draconian, this is most undemocratic, but not unlike the New Democratic Party.

Mr McLean: I wish to take part in this debate today. I welcome the opportunity to comment briefly on the government notice of motion and the amendments that were brought in with regard to Bill 47, An Act to amend certain Acts in respect of the Administration of Justice.

The government prefers to fall back on this type of undemocratic process, closure, far too often when we bring in legislation rather than dealing effectively with the real problems that are facing the people of Ontario.

As our House leader had mentioned earlier on, there were eight speakers who wanted to speak in the normal process of legislation. That did not happen. The minister spoke yesterday for half an hour or better and brought in a closure motion which is being debated here today. However, there has been some straying from that motion, because it is dealing with a very important piece of legislation. It's dealing with photo-radar, a system that I would dare say the majority of the people in this province are opposed to.

We have had overregulation with this government. We've had Bill 40, the job-killing bill which amended the Labour Relations Act. It has no regard for the social and economic consequences and it is symbolic of the anti-business, anti-job, anti-worker, anti-prosperity agenda that

has prevailed with this government.

This government's move to hike the minimum wage to 60% of the industrial wage is costing 53,000 jobs, another aspect of this government's what I might call a 1% problem that it's producing, and that is what I'm telling you.

We recently witnessed a government that is creating an entirely new batch of resentments with its now-withdrawn Job Mart ad. What was that all about last week, and now trying to legislate quotas with its employment equity legislation?

The people in this province are confronted with a government that prefers to cut off public debate by using this closure motion, and it wants to regulate the business in this House. The people of Ontario want their government to take positive, effective and affirmative action to put a stop to fraud, waste and overregulation, because it siphons our money, steals our jobs and closes our companies.

The people of Ontario are stuck with a government that has jettisoned its morals. I trust you will all remember the news release put out by Bob Rae on August 19, 1990, titled An Agenda for People. The second paragraph reads:

"This is a great province. But how much greater it would be if it truly belonged to the people, served the needs of the people, worked for the people. Instead, we have a government today driven by a narrow and self-interested agenda, ignoring what needs to be done."

Was Bob Rae talking about the current NDP government? We all remember Bob Rae promising that the people of Ontario would have access to the halls of power. It is the same Bob Rae who leads his merry band of socialists in a program of erecting walls and barriers by continuing to change the rules that govern the business of this House, such as two half-days in committee dealing with this very important Bill 47, with really no public input at all.

This government goes out of its way to use regulations, walls, barriers and red tape to confuse, confound and frustrate the people of Ontario when their elected representatives try to obtain the services, assistance and access to programs they need and deserve. Our constituency office gets that daily, weekly, on a regular basis, where we don't get calls returned from ministries. This government has made it extremely difficult for business, workers and families to believe that there is any form of hope or opportunity on the horizon.

We have had many challenges in this province, yet we've always managed to recover and prosper, but it doesn't happen by accident. I believe recovery and prosperity will come to the people of Ontario once again in spite of this government and in spite of its draconian measures, like this government notice of motion number 11 we're debating here today.

I have serious reservations about this government's ongoing policy of closing off debate as early as possible on much of the legislation that passes through this chamber. This is a government that fails to grasp the principle that is fundamental to the democratic process,

that each individual member of this House, whether sitting on the government side or on the opposition benches, has an opportunity to participate in the policy decisions of this Legislature.

The contributions of all members must reflect the wishes and views of their constituents. That is what it is all about, to bring the views of our constituents here and to be able to make sure that when legislation is being dealt with, these views are part of this legislation.

I respect the views and opinions of the people of Simcoe East who elected me to make their concerns known in this building. Believe me, my constituents know they can pick up a pen or a telephone and I'll respond to what they have to write and say.

People throughout Ontario have become disillusioned with politicians who made all kinds of promises and commitments, and once they were elected and formed a government, forgot those promises and disregarded those commitments. We've seen that with the recent selection of landfill sites, we've seen that with automobile insurance, we've seen that with casino gambling, we've seen that with Sunday shopping and now we're seeing it with this government's motion that warps the democratic process in the province of Ontario.

There are also some other commitments that were made in 1990. I want to read just briefly a section of it. It says in this Agenda For People:

"Men and women across Ontario have told me they don't want promises that can't be kept. They don't trust parties that pretend to serve every need and satisfy every demand. That's the cynical way of the Liberals. That's the cynical way of the government in Ontario and Ottawa today.

1700

"New Democrats offer a different approach. We acknowledge that our Agenda for People will not meet every need and we can't satisfy every demand. Instead, our platform for this election represents a new beginning for Ontario"—well, they sure got that right—"An Agenda for People that begins the work of making our tax system fairer, restoring our environment"—and we read about that and hear about it daily in this House with regard to the new dump sites—"protecting people and their jobs"—the social contract has really done that—"alleviating poverty"—more people on welfare than we can ever imagine—"making homes more affordable"—this is their commitment; yes, the prices have certainly come down—"and building a stronger north"—whether it's the 40,000 profitable corporations that pay no income tax or the developers who donate thousands of dollars to the Liberals while making millions. This is what on August 19 they were saying they would change.

Madam Speaker, I'm telling you, the people know the record of this government and they know the problem of change. The changes in this amendment to the motion with regard to the timing of the motion and the nature of the timing of the hearings, and the debate that went on here earlier today with regard to that very issue was something that I have never seen in this Legislature before.

I've spoken about the closure motion. I want to speak briefly about Bill 47. That was why the closure motion was brought in.

We're wondering who's going to receive the fine money. Do any municipalities have any share of this at all?

Why is it that there are two half-days of public hearings with regard to this so-called important piece of legislation that was so important they brought closure in?

When we look at the revenues of this government, we have our gas tax, we have our fuel tax, we have our licensing. Those taxes bring in more revenue than what the whole Ministry of Transportation spends. That was never the intent. So I ask you: What is the intent of this revenue grab that we see taking place within this?

Are our insurance companies going to be looked at?

Mr David Ramsay (Timiskaming): On a point of order, Madam Speaker: I was just going to ask if the Speaker saw a quorum in the House.

The Acting Speaker: Could the clerk please check to see if there is a quorum present.

Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Senior Clerk Assistant and Clerk of Journals: A quorum is now present, Speaker.

The Acting Speaker: The member for Simcoe East has the floor.

Mr McLean: I was just getting warmed up, but I wanted to put some of the questions on the record that we're not going to have the opportunity to be able to get from this government with regard to this bill.

The question that I had with regard to the fines is, are insurance companies going to be made aware of what these fines are? Is that going to go against your insurance premiums? We're not getting any answers from this, and we will not have the opportunity to get answers because we're not going to have full public hearings on it.

This bill is kind of like a spy. It's radar. You're driving down the road and you don't know that anybody's watching you. It's like "Big Brother knows best." Well, I'm not so sure that that is the way we operate in this country.

The graduated licence system is something that we have supported, and we have been looking at that aspect. I would say that if we took the money that we're spending on this program and put it into education with regard to the graduated licence program, everybody in this province would be far, far ahead of what we are and what we're dealing with today.

There are some sections in this bill that do concern me. It has to do with the time specified in the offence notice and filing a notice of intention to appear with the clerk of the court. This is if you want to appeal the fine that you have been issued, and if you want to appeal it, you have 15 days to make that appeal after you've received that notice. That sometimes is not too long.

"9.1(1) If a defendant who has given notice of an intention to appear fails to appear at the time and place

appointed for the hearing, the defendant shall be deemed not to dispute the charge." That means you pay, you're guilty, you have no chance to dispute it.

I want to talk about subsection 17(2): "If a defendant gives notice of an intention to appear, a proceeding may be commenced in respect of the charge if it is done within seventy-five days after the day on which the alleged infraction occurred." So you have a period of time, up to 75 days, the court has, to proceed with regard to the hearing.

The other section is subsection 18.1(2), proceeding commenced: "...a proceeding may be commenced in respect of the charge if it is done within seventy-five days after the day on which the alleged infraction occurred." There are two sections that pertain to that very issue.

In subsection 18.2(1) we look at no response to impending conviction notice: "A defendant who has been given a notice of impending conviction shall be deemed not to dispute the charge if fifteen days have elapsed since the defendant was given the notice..." That means that once you get the notice, if you don't in 15 days make an appearance to appeal that or oppose it, then you're automatically deemed to be guilty.

Recording of conviction: "Upon receiving a certificate requesting a conviction, the clerk of the court shall record a conviction and the defendant is then liable to pay the set fine for the offence."

In subsection 18.4(2), we're looking at a parking infraction. There's been not a lot of talk about how this photo-radar is going to work with regard to parking infractions. It says, "...a justice shall examine the certificate of parking infraction and shall without a hearing enter a conviction in the defendant's absence and impose the set fine for the offence if the certificate is complete and regular on its face." That says to me that if you're in a parking area, this system is going to work much the same as photo-radar. I don't know how the justice will enter a conviction with respect to a parking infraction. Is he going to do it under a bylaw of a municipality without proof of the bylaw that creates the offence? That's what it says in here. It's going to be under the bylaw of the municipality. So it talks very much about the parking infractions.

Subsection 48.1(1) also refers to, "The certified statements in a certificate of offence or certificate of parking infraction are admissible in evidence as proof, in the absence of evidence to the contrary, of the facts stated therein."

When we look at the contents of this bill, we really have some problems with it, and it's not going to give the people of this Legislature and the people of this province a fair hearing with regard to the whole aspect of hearings.

"Section 68 of the act is amended by adding the following subsection:

"(4) Costs incurred in enforcing the deemed court order or judgement shall be added to the order or judgement and form part of it."

So the individual who's going to be sent this licence plate and his speed that he was going has now got to pay

for the cost of the total court time. Whether it's the cost for the police officer to go or the court, this is all going back on to the individual.

1710

Subsection 69(2): "A justice of the peace who is satisfied that payment of a fine is in default,

"(a) shall order that any permit, licence, registration or privilege in respect of which a suspension is authorized under any act because of a non-payment of the fine be suspended until the fine is paid;

"(b) shall order that any permit, licence, registration or privilege in respect of which any act authorizes a refusal to renew, validate or issue the permit, licence, registration"—they will not get their licence until all the fines are paid.

It goes on under "Highway Traffic Act permits" which has to do with the default, "shall direct that until the fine is paid, (a) validation of any permit held by the person who has defaulted be refused; and (b) issuance of any permit to the person who has defaulted be refused."

When we look at these aspects of this bill—and there are some others here that I want to just bring out in the open because there are a lot of people who have not realized it. I want to read this one important section. It says the liability to pay the fine and the term of imprisonment if the fine is not paid. We talk about the inability to pay the fine:

"If the justice is satisfied that the person who has defaulted is unable to pay the fine within a reasonable period of time, the justice may (a) grant an extension of time allowed for payment of the fine; (b) require the person to pay the fine according to a schedule of payments established by the justice; (c) in exceptional circumstances, reduce the amount of the fine or order that the fine does not have to be paid."

I want to get here to the—"(a) if the amount that has not been paid is not greater than \$50, one day; or (b) if the amount that has not been paid is greater than \$50, a number of days equal to the sum of one plus the number obtained when the unpaid amount is divided by \$50"—this is getting confusing.

This is a piece that's in this legislation that says, "The term of imprisonment shall not exceed the greater of (a) 90 days and (b) half of the maximum number of days of imprisonment that may be imposed on conviction of the offence that the person who has defaulted was convicted of."

So if you're in the photo-radar, you get caught, you don't pay your fine, I just relayed to you the aspects of this bill that pertain to that. You could serve up to 90 days. Not only that, but you can't get your driver's licence renewed until the fine is paid for. We know that. That's also in here.

The other aspect of the bill is that if you're under 18 years of age, you own a car, you don't fit into that category, you're exempt from that. That's one of the exemptions:

"Subsections 20(6) to (19) do not apply if the person who has defaulted is less than 18 years old or the fine was imposed on conviction of an offence under subsec-

tion 31(2) or (4) of the Liquor Licence Act."

If you're old enough to get a driver's licence and you have the responsibility of driving your car and if you want to speed and get caught in the radar, then why should you be exempt? That's an important question the minister who's bringing this bill forward should answer very clearly. I thought we treated all people equal.

There's no permit when photo-radar unpaid:

"If an owner of a vehicle is in default of payment of a fine imposed for a conviction based on evidence obtained through the use of a photo-radar system, an order or direction may be made under section 69 of the Provincial Offences Act directing that (a) if the owner holds a permit, validation of that owner's permit be refused until the fine is paid; or (b) if the owner does not hold a permit, the issuance of a permit be refused until the fine is paid."

These are some of the sections of the act that should be brought out and should be dealt with in detail. I didn't hear the minister yesterday indicating with regard to those very issues that I have spoken about, with regard to the photo-radar system and the evidence of it.

There are a couple of sections to this bill that a lot of people have not been informed about. In those sections—mainly our section 3 which amends the Game and Fish Act to deal with certain administrative, recordkeeping and enforcement concerns. At the present, the act contains two provisions that establish offences that may be committed either with a vehicle or with some other mode of transportation.

If a reference is made to one of the provisions by subsection or clause, it is not clear whether a vehicle or some other mode of transportation is involved. The bill eliminates this difficulty by treating offences committed with a vehicle and offences committed with other modes of transportation as separate offences.

There's one other section to this Bill 47 and it's section 4. It amends the Liquor Licence Act by providing that no person shall be imprisoned for conviction of unlawful possession of liquor or being intoxicated in a public place.

Why is that being taken out? Why is that being changed? Those are some of the questions that we're not going to get full commitment from the minister on. I can assure you that the minister will probably not be in committee. It will be his parliamentary assistant who will be dealing with it.

Not only that, there's another section here that pertains to the Lieutenant Governor in Council, made by regulation. So really what's going to happen, in essence, is that the regulations are going to be made by the cabinet, which is what the Lieutenant Governor in Council is all about, and any changes that they deem necessary are going to be prescribed after this bill is passed. So when we look at the regulations, they certainly leave room for a lot of considerations.

There's a section in here with regard to the Game and Fish Act, there's section 4 with regard to the Liquor Licensing Act and here we are dealing with photo-radar legislation. This is this afternoon's debate on a motion

and an amendment to the motion. We should have been debating and finalizing this bill today instead of spending the afternoon dealing with a closure motion. Not only that, but it's going to go to committee for two half-days and then it's going to come back to the House for third reading. Are we going to bring in closure again when this comes to third reading? In essence, it could have been done today.

The attitude of this government by bringing in closure, the attitude of this government that said it was open and fair to the people of this province and wanted to hear what the people are saying, is not open. They're not listening to the people. They're not listening to the people on the announcement that the Chair of the Management Board of Cabinet made last week and reversed the decision on it this week. What input did the people have into that decision other than what was raised here in the House? But I can tell you there are a lot of people who were phoning over that very issue with regard to the discrimination.

Madam Speaker, I wanted to thank you for the opportunity to spend some time with regard to this closure motion and I wanted to speak briefly with regard to Bill 47 because it's a money grab and people who have been talking to me are not very happy with it. I just wanted to put those remarks on the record.

The Acting Speaker (Ms Margaret H. Harrington): Thank you to the member for Simcoe East. Are there further speakers who wish to participate in this debate? The member for Timiskaming.

Mr Wood: Say thank you for all those passing lanes.

Mr Ramsay: I'm going to talk about that. The members across the way are already asking me if I would thank them for some of the passing lanes on Highway 11. I think that relates to this particular bill and I certainly will talk about highway safety and the construction. There have been some good things in that and I will certainly mention that when the time comes. They'll be listening to that, I'm sure.

We find ourselves here today, unfortunately at the end of the debate now, that has come about by the government House leader moving a motion for time allocation, which means, and I talk to the people watching this evening, that now basically debate is restricted in this House. The government has said that enough's enough.

They believe that 10 hours of debate are enough, and that's about all the debate we've had on this particular bill, the photo-radar bill that we're talking about and that I will talk a little bit about this evening; and that when two opposition parties in this House that represent almost half of the people of this province through almost half of the seats in this Legislature are against this particular bill, when there is that sort of opposition to a particular piece of government business, this government believes debate should be stifled, and therefore the House leader brought forward this motion that we're to close off debate for this particular bill.

So now what we're doing, of course, is debating that particular motion. It gives us an opportunity, a very slim opportunity now and our very last opportunity, as we

only have probably 40 minutes to go this evening, to discuss this particular bill. But what it does now is stifle debate completely on this particular bill.

In fact I've been informed by our House leader, the member for Bruce, that another time allocation motion now has been moved by the government on another bill. I would imagine that this is what we're going to be seeing between now and the Christmas break: legislation by time allocation and by closure motions. That's unfortunate in a democracy where we were elected, very few of us, 130 to represent almost 10 million people, to speak the minds of those people, those folks back home.

I see it as an impingement upon my rights to be able to get up in my place to represent the people, in my case, of the riding of Timiskaming in northern Ontario, to reflect their views about each particular bill as it comes along. This is now being stifled, and we are not pleased about that over here and we're not pleased with the trend of the NDP government in bringing that forward.

1720

Interjection.

Mr Ramsay: I mentioned that. As the House leader said, I did bring forward that we have another one today, so I think it's going to be legislation by time allocation as we go towards Christmas, and that's very unfortunate.

I think at first I'd like to talk a little about what photo-radar is. This is a relatively new idea for this jurisdiction, but I understand that this idea was first proposed and is in use in France, and that there are a couple of North American jurisdictions that now utilize this technique. Basically, what the technique is is that a camera is placed in a position on a busy highway or thoroughfare so that it can capture on film the licence plate of a vehicle that the mechanism has determined has been exceeding the speed limit.

There's been great debate in this House as to, in a sense, the kind of morality of this type of operation, because this is a rather new type of policing technique that we've seen in Ontario. I think that's what I'd like to zero in on right now: Is this type of entrapment technique really policing?

I think that's what the problem is: The government sees this type of thing, this type of apparatus as policing and that's the last type of thing I consider to be policing. I consider policing to be having contact with police officers in Ontario, and having been in contact with police officers means that it's an educative process. When I am stopped—I have to admit here in front of all the people in the House and beyond that I, like anybody else, am stopped on the highway—and I'm issued tickets when I exceed the limits, as I do sometimes, I take my medicine like anybody else.

With that summons that I receive for the speeding offence, I receive that contact with the police officer. I receive, if you will, that lecture from the police officer who is there to enforce that particular law. The police officer is telling me, in that lecture, why I should not be speeding and what the dangers of speeding are. In my particular area where I would be driving from North Bay, after flying from Toronto to North Bay, up to my home

in Timiskaming—a distance of about 170 kilometres—there are other hazards such as rock cuts and moose on the highway, and there are a lot of reasons in northern Ontario besides the ones in southern Ontario why you would not want to be speeding.

When you come in contact with the police officer, you are reminded of the dangers of speeding on the highway. The police officer will say: "Mr Ramsay, I think you should be slowing down. There are dangers up ahead. It's now dusk and it's June and you know that moose will be coming out on to the road, and it's highly dangerous to be driving at a fast speed and doing that."

I guess the point that I'm trying to make is that with this type of apparatus, this sort of entrapment apparatus, all that you're going to get is the entrapment from this. The driver is not going to get the education, the learning, the reminder, as human beings that we all are and need. We're not going to get that. What we're going to get after a few weeks, in the mail, is a ticket that says, "On such and such a date, at such and such a place, the licence plate of your car was captured on film by a particular ticketing device," which we are speaking about today. A large summons is going to be there with, unfortunately, the opportunity to pay a fine.

That's just one end of policing. Why this is becoming necessary is the priorities of this government. This government is underfunding our police in Ontario. I have had provincial police and local police from my area and from other areas, in particular northern Ontario, come to me and tell me of instances of how detachments are closed for long times, during the evening especially and over the night-time hours.

Some of the major detachments are located on the Trans-Canada Highway in northern Ontario where there's all sorts of traffic of all sorts of different types, from people who have escaped from penitentiaries and are going across the country to people who have committed crimes. The Trans-Canada Highway is obviously one of the main routes out of Ontario to other parts of this country, and some of these detachments are closed for two, four, six, in some cases eight hours a night. This is extremely dangerous.

We've seen incidents of police officers who, because of the understaffing, were on their own in the middle of the night on dark, long stretches of the Trans-Canada Highway. As I said, with the type of traffic that's going through that area, they are being placed in very dangerous situations. We've seen incidents where that danger has resulted in injury to our police officers, the men and women who put their lives on the line for us.

That's the reason we're here debating this particular bill, why the government's looking at this particular apparatus. They're trying to basically replace police officers. They're trying to find some new high technology that will basically replace policing. It's a lack of understanding of what policing is.

Policing is communities and people becoming involved directly with police officers, those men and women who serve us. Through that we are reminded of what the laws are; we are convinced that we should be adhering to those laws. Through that contact with our police officers,

who are showing by example how we should be deporting ourselves, we learn how we should be deporting ourselves.

This is especially true on the highway, where any one of us, who would not consider ourselves to be interested or even in any way involved in criminal activity, from time to time for various reasons might exceed the speed limit and find ourselves with a speeding offence. This happens to many of us. It's not right that we do this, but obviously this is why we have and need good policing on our highways. What this government is doing is forgoing that better policing, that better enforcement on our highways, for this type of high-tech apparatus.

Once you start taking the police off the highways, of course, then you put yourselves into other danger, because speeding is only one reason why you would want police officers on the highway. On the highway we look mostly to our police officers for help, so we want them on our highways because if we get into traffic accidents or mechanical breakdowns we want to make sure that the police are there, not only to protect us while we're in that particular vulnerable situation but to be able to offer the assistance we may need in order for us to get on our way again. That's a particular concern when we see the cutting down of police patrolling, especially in northern Ontario, where we have long, vast and sometimes isolated stretches of highway.

Madam Speaker, I don't know if you've experienced driving on some of those stretches in northern Ontario in January and February of the year, but where I live—and it's not all that far north from here in relative terms to how far north Ontario does go—it's very cold in January and February and the last thing you want to have happen to you is to be stranded on a lonely, dark stretch of highway when it's 40 below zero Celsius and Fahrenheit, as it is the same. That's the last thing you want to have happen to you.

We want good policing. We want our police officers out there on the highway, not only for enforcing our speeding laws and other traffic laws but also for making sure they're there for what their primary purpose is, to help people. That's what policing's about.

The other thing that police are doing out there, of course, is enforcing all the rest of the Ontario Highway Traffic Act. What this particular device is going to do is just enforce one tiny bit of it.

Before I conclude, I'd like to talk about what my colleagues across the way were talking about and thank them for some of the highway improvements that have happened in my particular area over the last year; I think that's part of this too.

In my particular case, and for many people who travel two-lane highways extensively throughout southern Ontario and through the north, a frustration level will build up when there's not enough opportunity to pass slow-moving vehicles. When that happens, that causes many of us, though we shouldn't, to speed up beyond what the limits are.

Two-lane highways serve our province very well, but it's important that those two-lane highways have ample

truck-climbing lanes so that people can get around trucks, and also car-passing lanes so that we can move past slow-moving traffic on those highways.

If we had a system that was almost contiguous, three-lane highways through the combination of all these passing lanes and truck-climbing lanes working both ways, then we would have a much more even flow of traffic through the two-lane highway system of Ontario, which is pretty good but right now is a bit, I would say, underengineered for the amount of traffic we have today.

1730

In my particular area—I was fortunate this year—we had the construction of six passing lanes between Temagami and just north of New Liskeard. I'm going to have an opportunity to take my colleague the MPP from Bruce up there tomorrow, as he's going to be touring the riding of Timiskaming, and I'm going to show him some of those passing lanes. You can greatly see from just a few passing lanes in a small area such as what I'm speaking of, the 60-mile stretch from Temagami to north of New Liskeard, that you really do start to get a much more rapid flow of traffic. That decreases the frustration level of drivers and therefore that also decreases the amount of speeding that drivers are tempted to embark upon.

I would just say in conclusion that it is obviously a shame that this debate is being stifled by the government through its motion of time allocation. We are obviously sorry for that because it's going to slow this debate and stop it off completely.

I think this is an area where we have to be discussing further and further the ramifications of using electronic high-tech devices to provide our policing, moving away from the men and women who provide the policing in Ontario today. It's a shame we don't have the time to really get into that debate of what policing should be in Ontario, how our highways should be monitored by our police officers, but that's the nature of this government. They're shutting down debate, and as our House leader says, the next motion for time allocation is before us again. It looks like this is the way the government will do business between now and the Christmas break.

Mr Murdoch: It is my pleasure to be able to speak on this motion to close down debate on what I wanted to debate. It seems ironic that we have to do it this way, but with a socialist government, I guess they've decided this is the way we're going to debate things from now on. Some of them are going to leave now, I guess. That's fine.

What this motion is doing is closing down the debate, as we've heard, on the photo-radar, which if I'd had a chance to debate, I would have, if they hadn't brought this motion in. I'm sure there were maybe a couple of more Liberal people who wanted to vote on this also, but we have a socialist government and I guess they've decided this is the way they want to run Ontario. They don't want to give us the right to debate on bills. When they get in a corner, they just say: "Well, Mr Speaker, we're going to just close the House down. We're not going to let anybody speak on it." This is what they do.

As I said, it's closing down photo-radar. One of the worst things about this is they're not going to let the public debate it. This was going to be second reading. Normally what happens from that is it goes to a committee and the public have a chance to explain whether they like the bill or not. This government decided it's not even going to let the public talk about it.

We all know why. This government over here doesn't care about safety. That's not their problem. Their problem is they're broke. They've spent this province into a hole and they've got to find some way of getting out of it. So this is a money-grab bill, that's all it is, and this is what they want to do with the money: They're going to put it into general revenue.

If they were concerned about the safety on our highways like they claim, if they were even a bit concerned about the safety on the highways, they would take this money that they're going to grab from the people and they would put it into safety measures on the highways. But no, they're going to take this money, give it to Floyd Laughren, the Treasurer, and he'll fritter it away on some of his crazy ideas that they come up with. They have no concern about safety at all. All this is is a money grab.

I brought up in the House some time ago, a couple of weeks ago maybe, a safety problem we have in our area on Bayview Hill, between Meaford and Owen Sound. I got a letter from Transportation before mine even hit the media that they weren't going to do that. They have no concerns. They don't care that this is a big, long hill and there are accidents there. That's not their concern. They say, "Well, we have no money."

Now they're coming up with one of the biggest tax grabs that's ever happened in Ontario, and this money is just going to go into the general revenue, nowhere to help out people on safety.

The people out there won't be fooled that this government is even concerned about safety. We all know they're not. If they really were, then they would be announcing in this House that, hey, this money's going to go into roads, it's going to help out the roads and it's going to make roads safer for our people. But no, they don't care.

The thing about this bill is that there's no trial. You don't have a chance to say whether you are innocent or guilty. They way things work now, if you're caught in a radar trap and you're speeding, and even if you weren't or you think you weren't, at least in your own mind you weren't, you have at least a chance to sign the fine that you get. You can send that in and you can go to court and you can plead your case. With this bill, the photo-radar bill, all you're going to get is a photograph of your licence plate. It will come in the mail a month later or whatever and it will say you were speeding at a certain spot. You may not even have been there, but this is what's going to come in the mail, and you're guilty.

You're supposed to be innocent before proven guilty. This doesn't work any more. With this socialist government, that's what happens. I guess some of us deserve this, because this is what the people of Ontario put in, but I'm sure they won't be putting them in any longer. They will get rid of this government pretty fast. This government's been hypocritical, it's been whatever. They're still

here; that's the unfortunate part. If they had any backbone at all, they would stand up now and say: "Hey, guys, we have no mandate to do all these things that we're doing. We'll call an election to see whether people really do want us."

Interjections.

Mr Murdoch: You hear some of them laughing over there, and they know they don't want any election right now. They know they'd be gone and they just would not want that to happen.

Another thing about this bill, though, since it's a money grab—and again, we have a government that doesn't think before it puts things forward. I don't think they've ever even thought of what is going to happen, the cost of this when some people challenge it in court, the cost there is going to be for lawyers and things like this. For them to fight for a bill that's unconstitutional, it's going to cost them probably more money in the start. But let me tell you, it is just a money grab. That's what it is.

One of our members mentioned some weeks ago that the crows seem to be disappearing in the area. Well, they'll probably have to use some of this money to import some crows back in, because they are eating crow pie all the time, there's no doubt about that. They'll be eating a lot more of it before this bill is done and before other bills are done.

So what do they do? They bring in a closure bill to shut us up. They say, "Hey, we're not going to let you debate this any longer. We don't want to hear about our mistakes. We don't want to hear about how stupid we are. We don't want to hear those things, so we're just going to bring in a bill and close you down. That's what we're going to do to you. We don't want to hear all these things that are terrible about us," even though they're true.

A lot of people out there are saying a lot of bad things about these people, and I'm sure most of them looked at this editorial that was in the paper. It says, "Smile, You're on Photo-Radar." I'm sure some of the people on the other side of the floor cringe when they read some of the things that are said about them in there, and they're all true. Maybe I wouldn't have gone as far as some of the things he said about some of them personally, but what he's saying in that editorial—it's by John Downing—is so true that it must make them feel pretty bad when they have to read things like that about them in the paper. I'm sure they don't have them framed up on the walls of their offices.

Another problem with this photo-radar bill is you don't lose points. Again, it's just a money grab. We're going to be fining a licence plate, and that's all it is. If you happen to own cars that you rent or a limousine service and things like that, if you're not driving, you're going to get the bill. It doesn't matter. They really don't care over there, because as long as they get the money, they're happy. That's all they want.

Mr Elston: They're probably going to go out chasing people trying to get some speed.

Mr Murdoch: I'm sure they will. I'm sure they may get a lot of tickets too as they try to speed away from the

people who want to talk to them, because they don't want to consult with anybody. That was one of their big promises when they got in, that it would be open government. "We're going to consult. We're going to listen." Well, this resolution that they've brought in to be voted on today puts off all the debate. They're not going to let the people have their say. Yet when they got in, they said: "Oh, no. We're going to be open. We're going to listen to everyone." They've certainly showed that they don't want to do that.

This is just one of the times they've done this. They've done this before. They're great at this. They've probably done it more than any other government around. I don't know whether it's something that's the mentality of the socialists that they want everybody to dislike them or not, but there aren't many people out there they haven't touched yet to make them dislike them. But this will be one way of doing it. The amount of people who will be upset with this when they put it into force—they should get the remaining few people who are left who may like them at this point. There won't be too many after that, I'll tell you.

1740

Another thing: They're going to rely on cameras. Can you believe that? They're going to take the personal thing out of this. At least now if you're speeding or something, you get stopped by a police officer, you're given a ticket and you have a right to say something. Now we're going to rely on cameras.

What happens if the camera isn't working right, if somehow it's set wrong? Then we're still going to get all these things in the mail. And you know who's going to get the people into the office complaining: You and I, Mr Speaker, and these people over here.

These people have no idea what real life's all about. I'm sorry; they're in a dream world. The unfortunate part is they think they got elected because the people wanted them. It was a protest vote, and they still haven't figured that one out. But that's fine. They will figure it out in the next election.

Mr Mike Cooper (Kitchener-Wilmot): One solution: Don't speed.

Mr Murdoch: I hear from the member for Kitchener-Wilmot. He says, "Don't speed." I agree. If you get caught speeding, you should pay your speeding fine.

I disagree with cameras where we don't know whether they'll be accurate. No one knows what speed limit they're going to set them at. If the speed limit's 50 kilometres, are they going to set them at one over that? We don't know that. They don't know that. They probably don't even know where they're going to get the cameras yet. But I do know that they do have some police officers trained in this, because there are some from our area who have been down here in Toronto training to do this.

They are gearing up to pass this. They know they have the majority. As I said before, when they start to hear too much that criticizes them and they can't take it, they say, "Hey, we're going to stop that. We're Big Brother," just like the cameras they're putting out on the highways. It's

Big Brother going to be looking over your back at all times.

In here they do the same thing. They try to limit my chance to debate on this. I have to do it through a motion of closure, the only chance I get to debate on this. My chance was squashed, just because they said: "Hey, we're the government and we're not going to let you speak. When we get tired of listening to you, we close it down."

But if they were sitting on this side, they'd be screaming and hollering. They'd be crawling around like a bunch of rats. They complain more than any other government that they didn't have a chance to speak. Now they do the opposite.

So what do we do with a bunch like this? I guess we have to put up with them for another 18 months. As the Premier says, "We'll be here for another 18 months." I guess he's starting to count the days. If you think of that, that should be only two more sessions. Hopefully, we have to put up with this bunch for only two more sessions and then they're gone. We can only hope that.

For the people out there who are listening, there is hope yet. We only have two more sessions of this. I don't think they're bright enough to get enough bills through that they will hurt us that much more. But there are two more sessions left, for which we will have to put up with them.

Here they are: They have secret meetings on the dump issue. They don't invite our members to sit in on them. Yet now they're going to put cameras out on the road to take pictures of people going by.

So what do we do with this bunch? The whole thing is, I think the major thing is, we've got a government that's out of control. They have no idea of what they're doing. The best thing is to make sure we don't tell them when they're doing things wrong.

This is what they're doing with this kind of legislation, by coming in—and then they change it too. Right in the middle of the day, they say, "We're going to put an amendment to it." They don't bother telling us. David Turnbull, who is the critic for transportation in the urban centre, has been steering this bill through. They never bothered to tell him that they're going to change the amendment.

They just come in and number one Speaker here says, "Oh, it's okay." He doesn't try to help us out. I'm disappointed in that. I'm disappointed in number one Speaker in this House, that he didn't try to help us out. But he didn't.

Hon Gilles Pouliot (Minister of Transportation): Whoa, have some respect for the office.

Mr Murdoch: Maybe we should have. I hear from the Minister of Transportation that we should have respect for his office. Well, I guess maybe we should for there, but we can't any have any respect for his office, because his office is going to be gone in a few days.

Once we get these four new great crown corporations that are going to dole out the money to the roads and bridges, we won't need this minister. We'd be better off without him now, but we will not need him in a few months. When they get the new crown corporations set

up, the Minister of Transportation will be gone. They won't need him. Maybe they're going to give him a commissioner's job. Who knows? But we certainly won't need him around this House, because his job's going to become redundant. We won't need the Finance minister.

You guys are going to change all the rules; there's no doubt. Then they won't have to have any credibility. But they have no credibility now; they already know that. What they're doing is putting it off on to commissions and boards and crown corporations because they don't have the guts to stand up and speak to the people when they challenge. They just don't, and I'm sorry that I have to say that, but it's unfortunate.

Hon Mr Pouliot: Maybe we can go to the Senate.

Mr Murdoch: The Minister of Transportation, if he would sit in his seat, maybe we could listen to him, but he doesn't want to sit in his own seat, which I can understand. I'd be ashamed to sit in that seat also if I had done the things he had done.

I want to tell you, Mr Speaker, it's a money grab. I want to tell you about a place in Priceville. I already brought this up, but the Speaker wasn't here at the time. They want to become a community watch neighbourhood. They put up some signs. His Transportation ministry charges them \$160. So they say, "Can we put some flowers in the flower boxes on the bridge?" "Oh, we want another \$160." What do you call this if it isn't a money grab? It's just like this one, another money grab.

It's nice to see that the minister is here to listen to this.

Mr Leo Jordan (Lanark-Renfrew): How about that hill again?

Mr Murdoch: We could maybe tell you about the Bayview hill that you tell me this is for safety—I brought it up earlier, but you weren't in the House, so now maybe I can tell you again—between Meaford and Owen Sound. We've asked for it to be fixed up. It's a long hill. You don't have any money.

Maybe if he would take this money and put it into things like that, he might have some credibility. But all he wants to do is take the money, throw it into Floyd Laughren's pot so that he can go out and spend it on some other foolish thing that this government will want to do.

There you are, Mr Speaker. If this minister had anything to do with the government over there, he would be keeping this money for himself to spend on safety. But obviously this minister's just a front man. They set him out in the front, they dress him up, they send him here and that's all he can do. He can bring in silly bills like this, but he has no idea what he's going to do with it.

I am really disappointed in this government. This is another one of their follies. I can't vote for this. It's too bad that we have to have government run this way to keep us quiet.

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to join the debate and to lend my concern about the resolution that's before us to end the debate on the bill.

I think the people who are viewing this should understand that what is being proposed here is that we no longer will have an opportunity to raise some serious and legitimate concerns about what this bill is going to do.

I think, as everybody understands, essentially it is a total invasion of privacy. It is a tax grab. It is something that is, in my opinion, the start of a very dangerous trend. I'm surprised that an NDP government would head in this direction. The Minister of Transportation looks incredulous, but I am amazed that an NDP government would head down this road.

I don't know where you're going to end. I don't know where you will stop using hidden photography to catch people who may or may not be violating the law. I think that's worthy of debate. I'm surprised the NDP backbenchers aren't encouraging a much broader debate, because clearly what's driving this is the government is desperate for revenue.

Hon Mr Pouliot: That is false, that is incorrect.

Mr Phillips: The minister is saying it is false. Then that's exactly why we need a broader debate. But he won't allow the debate. He'll sit there and say it's false and not permit this Legislature to have a debate. If it's false, then I'd like the debate, Minister. I don't want you closing off debate on this. If it's false, then let's have a full debate.

But I am saying this is a tax grab of \$200 million, and it heads down a very dangerous route. I think some people in the public understand that what we're talking about here is that you are beginning organized spying on people. I hope I'm not exaggerating this, but once you start this, I don't know where it ends. I really don't know where it ends. That's why there's a need for a full debate on this.

Where do you stop? Is speeding bad? As my colleague said, why not have it at all the stop signs, then, and catch all of those people? Where do you stop using hidden cameras? Where do you stop that? That's what the debate should be about, not about a \$200-million tax grab.

1750

There is a steady stream of people coming to the government with harebrained schemes on ways that you can raise money, and this is a big moneymaker. I don't doubt that. The Minister of Finance is coming in. It's a huge moneymaker. There is no doubt about that. But surely the debate around here should be how long and how far we are prepared to use hidden cameras to raise revenue, where do you stop and what regulations should you put on it.

The Minister of Finance has arrived. I have no doubt that there is, as I say, a steady stream.

The casino's another example. Which of the NDP backbenchers ever thought you would be defending casino gambling on the basis that it is good for the province of Ontario? Did anybody? Did any NDP backbencher, three years after you got elected, think you would ever be standing up and saying, "Casino gambling's great"? Do you know why you're doing that? Because there is a steady stream of people coming to the Minister of Finance's office with schemes to find ways to

raise money. You are starting with the casinos.

Hon Mr Pouliot: Your federal friends have been there three weeks and we're already \$5 billion out of whack.

Mr Phillips: The Minister of Transportation would obviously like a longer debate on this, but no, he's going to close the debate off. He will sit here and try to heckle, but he will not allow a legitimate debate on some very significant and legitimate issues around where you are heading, where you are going as a government.

The first major signal about this government to me was when the OPP were called in to investigate an absolutely minor leak to the opposition. I'm not exaggerating this when I say that this bill has the potential to start the government down the road to using, as I say, hidden cameras. I don't know where you draw the line; speeding now, other things in the future.

Hon Floyd Laughren (Minister of Finance): Be specific, Gerry. What do you mean?

Mr Phillips: We hear lots of heckling now around issues that I think we should be having a legitimate public debate on. I would like to get the public involved in this debate. What do they think about this? What do they think about a government that will now use unmanned or unattended cameras to raise money? That's a debate we should have.

As I say, I have no doubt that what's driving this is the Minister of Finance saying, "Listen, we are desperate to raise money." As I say, every person with a scheme is traipsing into his office saying: "Here's a machine. This is a moneymaking machine." I forget what the cameras are designed to raise per camera, but it's enormous.

The public should understand I think what the government's doing. This is the same government that in the next two years is going to sell \$500 million worth of jails. Can you imagine that? Some \$500 million worth of jails they are going to sell. The reason I'm raising this is it illustrates how desperate this government is for money.

Mr Sorbara: Who buys jails?

Mr Phillips: My colleague said, "Who buys jails?" Is this the time to be dumping \$500 million worth of jails on the market? Who is going to buy \$500 million worth of jails? It's clear it's a scam. The government will sell \$500 million worth of jails to itself, pay itself \$500 million and then lease them back.

The point I'm making is, when you realize things like casinos, I don't think any NDP member ever imagined when they ran they would have to stand up and support casinos across this province. I don't think any NDP member when they ran thought they would have to get up and say, "Listen, I support selling \$500 million worth of jails to ourselves and then leasing them back." I would be amazed if any NDP member thought they would be required to support what I think can only be described as a dangerous intrusion on individual private rights. That's a debate we have to have, surely.

Hon Mr Pouliot: Maybe Patti Starr would like to buy one.

Mr Phillips: The Minister of Transportation may

choose to heckle because he hasn't got the courage to have a public, open debate on this. He'd rather sit there and heckle and try and end the debate, force this vote through, which they will do in about six minutes, so the debate's over. But isn't it a debate that at least the NDP backbenchers think we should have?

I will tell you, this issue disturbs me, and I don't come to it recently. The Ministry of Correctional Services—there is now a program whereby people who are incarcerated can be let free to their homes in return for bracelets where they will be monitored. Now, I have had difficulty with that issue. I've had real difficulty with that issue. It happened to be an issue that we approved when we were in government, but I had concerns about it.

Hon Mr Pouliot: Oh, on the road to Damascus.

Mr Phillips: Exactly. That's exactly my point, and that is that this is a step down a road where we do not see the end. It is a step down the road to using hidden cameras to secure prosecutions against people to raise money, and I don't know where you end that. I really don't know where you end that. That's exactly why—

Hon Howard Hampton (Minister of Natural Resources): When did you suddenly acquire a conscience, Gerry?

Mr Phillips: I really appreciate the Minister of Natural Resources heckling, and I will say to him: You don't have the courage to have a public debate on this. He will stand back there and heckle, as they're doing, trying to stop the legitimate debate on it. They are heckling because they don't want a public debate.

Hon Mr Pouliot: Tell us about a conscience.

Mr Phillips: The Minister of Transportation once again is heckling because they know they cannot stand to have this go out for a public debate where the public can come and tell us what they think about this. What do they think about this? They will understand it is a revenue grab. It is not a safety issue.

I will say to the Minister of Transportation, if you want to undermine the public's confidence in their legal system—and I must say that our police forces in this province have worked since the country started to establish a sense of confidence. One of the great things about this province and this country is that the public has an enormous sense of confidence in its police forces. If you want to do something that helps to undermine that confidence—because they will think and they will assume, "This came from the police force; they caught me speeding." They won't realize that this is an NDP moneymaking machine on the side of the road designed to try and extract more money out of the public. They will assume it is the police force that has done this.

I can't imagine anything that will make the public more angry than getting these tax bills in the form of a speeding ticket, never having seen, never having a chance to defend themselves, never having a chance to explain the circumstances around which that took place.

I say it is a revenue grab; it is a tax grab. It heads down a very dangerous route. I don't know where the government is going to draw the line, because if you do it with speeding, you can do it with all sorts of other

things, and we won't have that debate. Furthermore, as I say, I think it will do significant damage to the relationship between the public of Ontario and our fine police organizations of Ontario.

With that, I gather it is the intent that the debate should wrap up because now the government will have its will. Now the government will vote to pass this resolution that will stop the debate that should be taking place on an important bill, about which we, and I think the public of Ontario, have significant reservations.

The Acting Speaker (Mr Noble Villeneuve): Thank you very much. This completes the debate on government notice of motion number 11.

Mr Charlton has moved an amendment to government notice of motion number 11. Will the amendment carry? Agreed? No.

All those in favour of Mr Charlton's amendment please say "aye."

All those opposed please say "nay."

In my opinion, the ayes have it.

Call in the members. It's a 15-minute bell.

The division bells rang from 1801 to 1816.

The Acting Speaker: Order, please. Would all members please take their seats. We will now be dealing with Mr Charlton's amendment to government notice of motion number 11. All those in favour of Mr Charlton's amendment will please rise one at a time and be recognized by the clerk.

Ayes

Abel, Akande, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooper, Coppen,

Dadamo, Duignan, Farnan, Ferguson, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Murdock (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rizzo, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, Wessenger, White, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wood, Ziemba.

The Acting Speaker: All those opposed to Mr Charlton's amendment will please rise and be recognized by the clerk.

Nays

Beer, Bradley, Brown, Chiarelli, Cleary, Curling, Daigeler, Eddy, Elston, Eves, Fawcett, Grandmaître, Harnick, Harris, Jackson, Johnson (Don Mills), Jordan, Mahoney, McGuinty, McLean, Murdoch (Grey-Owen Sound), O'Neil (Quinte), O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poirier, Poole, Ramsay, Runciman, Ruprecht, Sola, Sorbara, Sterling, Tilson, Turnbull, Wilson (Simcoe West), Witmer.

The Acting Speaker: The ayes are 63, the nays are 36. I declare the amendment carried.

We will now deal with the motion as amended, again by Mr Charlton. Same vote? Agreed. The ayes are 63, the nays are 36. I therefore declare the motion carried.

It being beyond 6 of the clock, this House stands adjourned until tomorrow at 1:30 pm.

The House adjourned at 1821.

ERRATA

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47	2411	2	22	educated and promoted and done properly, they get
81	4019	2	7	a day on which I won a vote in the Legislature since

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L'honorable David Warner

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Wednesday 17 November 1993

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

PARKDALE PAROLE OFFICE

Mr Tony Ruprecht (Parkdale): I'd like to point to another example of NDP mismanagement, insensitivity and secrecy.

Recently, this NDP government secretly approved the relocation of a Ministry of Correctional Services probation and parole office, with an average of 1,400 adult clients, into south Parkdale, forcing me and our community to try to demonstrate in front of the building.

There are many reasons why this move is wrong. First, south Parkdale has already the highest concentration of social service organizations, mental health centres, drug clinics and crisis care facilities. Second, the parole office is not far from an area frequented by drug pushers, pimps and prostitutes, and therefore it's hardly conducive to a rehabilitation program.

The question we should ask ourselves is this: When will this government stop treating Parkdale as a hospital without walls and roof?

The third reason, of course, is that the decision was made in secret, without even consulting the political representatives and community leaders, depriving us, therefore, from suggesting alternative sites.

In short, we want this office closed and moved, and we will not rest until this is done.

ENVIRONMENTAL LEGISLATION

Mr David Johnson (Don Mills): The general government committee is currently reviewing Bill 26, the Environmental Bill of Rights.

The Association of Municipalities of Ontario was not permitted to join the task force considering this bill. I quote AMO when it said, "Despite AMO's requests on several occasions, municipal representation was not permitted on the task force."

To no one's surprise, the task force itself concluded, and again I quote, "that it would be difficult to apply the EBR to municipal instruments without hearing the specific views of representatives of municipalities."

AMO does not support the Environmental Bill of Rights unless its many concerns are addressed. These concerns include the impact of this bill on municipal planning, on municipal projects such as roads, sewer or water line construction, on municipal costs and on the cost of doing business in Ontario.

Many of these same kinds of concerns have been expressed by the Ontario Mining Association, the Ontario Waste Management Association and the Ontario Forest Industries Association.

In view of these deep concerns, will the Minister of Environment and Energy grant AMO's request about this unclear legislation and take the time required, and again I quote, "for further discussion and analysis" before proceeding with this bill?

JOBS ONTARIO TRAINING

Mr Len Wood (Cochrane North): In the last 18 months, the government of Ontario has been hard at work with Jobs Ontario Training, part of its economic renewal strategy to get long-term unemployed people across the province back to work. So far, more than 32,000 jobs have been created province-wide, with an average wage of \$21,000.

On Friday of last week, I was very pleased to attend another broker launch in Cochrane North. The Abatisowin Training Management Group is the second aboriginal training organization in Cochrane North to act as a Jobs Ontario Training broker and will deliver Jobs Ontario Training to six native communities along the coast of James Bay and Hudson Bay. This means that all 15 aboriginal management boards in Ontario have now been approved as brokers.

The goal of the Abatisowin group is to create 350 to 400 jobs over the duration of the program. Between the two brokers, 18 people are already working and 11 employers have been registered. In a region where unemployment is running at about 60%, Jobs Ontario was designed to focus on helping social assistance recipients get the training they need to access the changing job market. Forty-five per cent of those who applied to this program are social assistance recipients.

Province-wide, we have saved \$135 million on social assistance benefits this year alone. The training component of the program works to complement our government initiatives like Jobs Ontario capital, housing, community action, forestry and youth.

Jobs are the government's first priority. Along with Jobs Ontario programs, there are a variety of other measures through the Ministry of Economic Development and Trade to assist private sector employers.

Our government's Jobs Ontario programs are an absolute success and we continue our commitment to a program such as this to help put Ontario back to work.

EXPO 2005

Mr Robert Chiarelli (Ottawa West): The Premier will know that a major initiative is being undertaken in the national capital region which will involve the provinces of Ontario and Quebec, the federal government, local governments and the private sector. I am referring, of course, to the creation of a bid for the national capital area to host the international world's fair in the year 2005.

At a press conference today, the Expo 2005 committee released the results of a pre-feasibility study showing the fair is technically and economically feasible.

Canada's two previous expositions, in Montreal and Vancouver, have resulted in substantial benefits to their host regions, provinces and the nation. In fact, in Vancouver, Expo '86 generated a \$65-million surplus, and both left a legacy of new infrastructure and economic development.

I am urging the Premier to please urge his regional

minister, Evelyn Gigantes, and his cabinet to be a positive partner in trying to create a feasible world's fair for the national capital region. We really want the province of Ontario to be a positive partner in this initiative. I'm certainly urging the regional minister, who is here in the Legislature today, to look at this seriously and hopefully receive the encouragement of the people in the national capital region.

EDUCATION PROGRAM EVALUATION

Mrs Dianne Cunningham (London North): In September 1992, the Minister of Education announced that the provincial Benchmarks, which are now referred to as the provincial standards project, will be established for mathematics and language for grades 3, 6 and 9.

These standards will be used to assess both individuals and education programs. They will show what the Ministry of Education expects students to achieve at different stages and in different subjects in education courses.

The standards for student achievement in mathematics were to be released to the school boards this fall, and language standards were to be developed in the 1992-93 school year. We have recently learned, after numerous complaints from parents and educators, that the math standards, which went out for public comment more than a year ago, have not yet been released. According to ministry officials, they don't know exactly when they will be released, but they hope before Christmas. The language standards which were to be developed during the 1992-93 school year have yet to be sent out for public input.

Minister, yesterday you stated in your presentation to the standing committee on estimates, and I quote: "Without a strong accountability framework, we might as well close up shop and go home. We cannot meet the needs of our learners without being accountable to them."

We all agree that our education system must be more accountable. We need standards that are challenging so that students are prepared to compete globally.

Earlier drafts of the mathematics standards were unacceptable. We need standards to show how we can improve learning in the classroom. Parents, students and educators trust that the minister will deal with his ministry staff to ensure that these standards are quickly in place in our school system.

1340

TVONTARIO FUND-RAISING

Mr Ron Hansen (Lincoln): I rise today to salute the Ontarians, many of them my own constituents, who have supported TVO in its current on-air membership campaign. Equally important, I salute the TVO volunteers from around the province who each year donate a combined 8,000 hours of their time to make the on-air campaign possible.

This financial and volunteer support is making it possible for TVO to exceed its already aggressive revenue target. This year's campaign will contribute more than \$350,000 to TVO's programming budget.

This will ensure that Ontarians will continue to enjoy the high-quality educational programs they have come to

expect: children's programs such as Bookmice that set the standard for all broadcasters; curriculum programming for teachers and students such as Mathica's Math Shop and Many Voices; High School On-Air which provides access to advanced high school courses for more than 7,000 Ontario students; and adult programming including Saturday Night at the Movies which is currently celebrating its 20th anniversary.

Tonight, members of the Legislature will have an opportunity to show their support for Ontario's educational television network and the programs they bring to our constituents. I encourage each and every one of you to join TVOntario's volunteers on air in taking pledges from the viewers tonight. Will you be there, Mr Speaker?

SOCIAL CONTRACT

Mr Steven Offer (Mississauga North): To paraphrase an old barnyard slogan, the chickens are finally coming home to roost for this NDP government. Last night in Vancouver, CUPE, which as we know was the former staunch supporter of the NDP, has decided that it can no longer stomach this government, this Premier and this social contract. CUPE has decided to sever all links with the NDP.

It seems that CUPE members can no longer swallow Bob Rae's betrayal of the principles they hold dear, and we agree with them and so it seems does the Minister of Economic Development and Trade. Just this morning she admitted that the social contract process led to this rift because, and I quote, "The timing was wrong and it was too much and too fast and people weren't able to accept that we ended up at the impasse."

Talk about stating the obvious. Now the minister understands what my leader, Lyn McLeod, has been saying all along: You're rushing into this, you don't know what you're doing and you don't understand the consequences.

We told you to sit down with these groups and negotiate without putting a legislative gun to their heads. You ignored us and now you are paying the price.

It is too late for the people of Ontario who have to endure the cost of the social contract. But make no mistake, and Mr Premier should make no mistake of this, the people will remember in 1995 what you've done in 1993.

PREMIER'S COMMENTS

Mr Robert W. Runciman (Leeds-Grenville): In May 1992, Premier Bob Rae said that the fatal shooting of Raymond Lawrence, the suspected drug dealer, was part of a disturbing pattern of racism. Two weeks ago a coroner's jury found race did not play a part in the shooting.

It is clear that Premier Rae's remarks were not only wrong; they were irresponsible, even dangerous. He was playing to vocal critics of the police, and without the benefit of knowing any of the circumstances of the Lawrence shooting, he made allegations of police racism, thereby encouraging racial tensions during a difficult period in the city of Toronto.

Now that the facts are known the Premier should publicly apologize for his remarks. He ought to apologize

to the Metro Toronto Police Service, to all police officers throughout the province, and in particular to Constable Rob Rice, an honest and very courageous police officer who put his life on the line, and in turn was smeared through innuendo by the Premier of Ontario. Apologize, Mr Premier, it's long overdue.

CANCER TREATMENT

Mr Donald Abel (Wentworth North): Yesterday during question period, the Liberal Health critic blamed the Ministry of Health and the social contract for hundreds of people not receiving cancer treatment.

The critic's one-sided view of this complicated issue does nothing more than generate fear in the public, especially those unfortunate patients with cancer.

According to Dr Mark Levine, chief executive officer of the Hamilton Regional Cancer Centre, patients who require radiation receive it. He stated that breast cancer patients who have undergone lumpectomy for early breast cancer and require breast irradiation have four to six weeks to wait.

However, clinical research has shown this to be safe and not to impact on survival. Patients with early-stage prostate cancer also may have to wait four to six weeks, but this does not affect the curability of the disease. It is important to note, however, that patients requiring urgent radiation have no waits.

With cancer cases increasing substantially, health officials are taking steps to increase the radiation machine capacity and the staffing of those machines to meet the need.

There is no doubt that the waiting list for radiation treatment is an important issue. Government and cancer care organizations are trying to deal with this complicated problem in a responsible manner, but it goes without saying that the Liberal Health critic's fearmongering rhetoric is totally irresponsible.

WCB NEWS RELEASE

Mr Allan K. McLean (Simcoe East): Mr Speaker, I rise on a point of personal privilege to protest the violation of my rights as an opposition member in this Legislature and as a member of the standing committee on government agencies, which met today to review the Workers' Compensation Board.

As an elected member of this Legislature, it's my duty and responsibility to represent my constituents and to provide the people of Ontario with pertinent information the government feels is necessary for them to be made aware of. Judging by the blank news release that arrived at my office today, I can only assume that the Workers' Compensation Board is trying to withhold important information from me and the people of Ontario; or is the WCB weighted down so badly by its unfunded liability that it cannot afford the ink for the news release?

That's the news release, Mr Speaker, that I got this morning. It's blank. That's the way the WCB seems to be operating.

The Speaker (Hon David Warner): The member for Simcoe East will know that he does not have a point of order, although it did sound as if he had material for question period.

MEMBERS' PRIVILEGES

The Speaker (Hon David Warner): On Thursday, November 4, the member for St George-St David (Mr Murphy), rose on a question of privilege concerning a letter that was critical of remarks he made in the debate on the motion for second reading of Bill 56.

The member stated that the letter was intended to intimidate him but that he would not be intimidated. The member for Willowdale (Mr Harnick), who received a similar letter, stated that he too would not be intimidated.

In response, let me begin by noting that Speaker Edighoffer stated on December 10, 1985 (at page 147 of the Journals) that "it is only in very extreme circumstances that there can come to the House a legitimate case of privilege on the basis of the real and accepted and traditional definition of parliamentary privilege."

However, I wish to emphasize here that threats to members are very serious matters when they affect the exercise of their duties and the fulfilling of their two most important privileges, that of free speech and that of attendance in this place.

In the case at hand, after reviewing the letter, the Hansard for October 14 and November 4, and the relevant procedural authorities, I find that a prima facie case of privilege has not been made out.

I thank the member for St George-St David and the member for Willowdale for drawing this matter to the attention of the House. I know that they and many others were deeply troubled by the content and tone of the letters in question.

MEDIA BRIEFING

The Speaker (Hon David Warner): On Monday, the member for Markham (Mr Cousens) rose on a question of privilege concerning a press briefing sponsored by a government agency on the previous Friday. The member indicated that he and other members had been refused admittance to the briefing. The member for York North (Mr Beer), the member for Bruce (Mr Elston), the member for Brampton South (Mr Callahan) and the member for Dufferin-Peel (Mr Tilson) also spoke to this question.

In response, let me say that Speaker Edighoffer stated at page 6204 of the Hansard for November 28, 1988, that no privilege was violated in circumstances where the government had not invited a particular member to a media event. In my view, this precedent is equally applicable to where a briefing is held by a government agency. Furthermore, I wish to make it clear that the Speaker has no authority outside the precinct that would permit him or her to ensure that announcements are made in a certain fashion.

1350

STATUS OF BILL

The Speaker (Hon David Warner): On Monday, November 15, the member for Bruce (Mr Elston) rose on a point of order with respect to committee consideration of Bill 50, An Act to implement the Government's expenditure control plan and, in that connection, to amend the Health Insurance Act and the Hospital Labour Disputes Arbitration Act.

I may say at this juncture that normally the Speaker would wait for a member to be present before delivering a ruling. However, the issue is at hand for the assembly, and thus it's important to proceed with the ruling.

The first question the member raised was based on conjecture as to the process involved if the principle of the bill is altered in committee. While this may certainly be an interesting subject for discussion, the member will know that it is a hypothetical question and therefore one on which I am unable to rule.

As to the second question posed by the member for Bruce, I would like to refer to the 21st edition of Erskine May's Parliamentary Practice at page 181 where it states:

"The opinion of the Speaker cannot be sought in the House about any matter arising or likely to arise in a committee."

In addition, standing order 120(b) clearly sets out a procedure by which a committee may report any disagreement with a decision made by the Chair. This includes rulings on the admissibility of amendments to a bill which would have the effect of altering its principle.

Finally, I will deal with the question of whether debate during routine proceedings on the motion to adopt and receive a committee's report on a bill is in order. I can advise the member that such a debate is certainly in order. Indeed, there are several precedents of extended debate being entertained at this stage.

CONSIDERATION OF BILL 47

Mr Hans Daigeler (Nepean): On a point of order, Mr Speaker: I rise on a point of order relating to the business of the House.

The Minister of Transportation said yesterday in this House that we would have two days of public hearings on Bill 47, but according to the motion that was passed by the House yesterday, introduced by the government House leader, within those two days we have to have as well clause-by-clause and vote on Bill 47.

Normally clause-by-clause and voting on a bill take at least half a day to a day. So I'd like to have it clarified, perhaps through you, Mr Speaker, and the government House leader, whether in fact we should schedule this afternoon, at the subcommittee meeting, two days of public hearings as promised by the Minister of Transportation, or will we even further reduce the opportunity for the public to speak on Bill 47 according to the motion from the government House leader?

The Speaker (Hon David Warner): To the member for Nepean: What the House and what the Chair are guided by are the resolutions which are brought before the House.

There was a time allocation motion which we dealt with yesterday, and questions pertinent to that were raised and dealt with at that time.

What the member brings to the Chair today is a concern that perhaps quite properly could be dealt with by the three House leaders as they attempt to organize the business of the House and attempt to provide opportunities for committees to deal with certain subject matters. But I appreciate the concern which the member has brought to my attention.

VISITORS

The Speaker (Hon David Warner): Before proceeding with oral questions, I would invite all members to welcome to our Legislature this afternoon two very special guests: First, the consul general of France, Mr Yves Doutriaux, and a senator from France, Mrs Dominique Ben Guiga. You are welcome to our assembly. Would all members welcome our guests.

Hon Gilles Pouliot (Minister of Transportation and Minister Responsible for Francophone Affairs): Who's with the consul?

The Speaker: You may recognize the other person. It is now time for oral questions and the honourable Leader of the Opposition.

ORAL QUESTIONS

WORKERS' COMPENSATION BOARD

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Minister of Labour. I want to ask you some questions about continuing concerns with the mismanagement of the Workers' Compensation Board following the appearance this morning at the legislative committee of Mr Brian King, the vice-chairman of the board.

Minister, our concerns about the fiasco of mismanagement at the Workers' Compensation Board have reached new heights today. I say to you that Brian King has misled a legislative committee, that Brian King has misrepresented the Provincial Auditor, that he has shown contempt for the Legislature, and we demand his resignation. Minister, will you fire Brian King?

Hon Bob Mackenzie (Minister of Labour): The answer is no.

Mrs McLeod: I suggest to the minister that we consider this to be a very serious matter of public confidence; that the minister is surely aware of the kinds of concerns that exist about mismanagement at the Workers' Compensation Board; that the questions that are being asked in this committee, the questions that have been asked in this House are critical questions about the responsibility of the senior management of the Workers' Compensation Board, and they are critical questions at a critical time.

The minister surely knows that people are concerned about a Workers' Compensation Board that has an unfunded liability of \$11 billion, and that this liability is growing at \$2 million every day. Confidence in the management of the Workers' Compensation Board is absolutely essential, and there is no confidence. I call on you today to act to restore that confidence and to begin by asking for Mr King's resignation. Minister, will you ask for Mr King's resignation?

Hon Mr Mackenzie: The answer to that again is no.

Mrs McLeod: I simply do not believe that a minister who is prepared to accept his own responsibility can continue to ignore the fact that the vice-chairman of the Workers' Compensation Board has continuously and repeatedly refused to accept responsibility for his actions on behalf of that board.

I suggest to this minister that Brian King has betrayed the public trust; that he has betrayed the confidence of

the minister; that he has betrayed most certainly the confidence of this Legislature; and that he has betrayed the confidence of the injured workers of this province.

Minister, the injured workers of this province are absolutely dependent for their welfare on confidence in the management of the Workers' Compensation Board, and that confidence has been completely eroded. Why will you not act now to demand the resignation of Brian King, act now to restore confidence in the management of the Workers' Compensation Board?

Hon Mr Mackenzie: The vice-chair of the WCB has written to the Provincial Auditor to deal with the basis for the start of this, to clarify any misunderstanding that arose regarding the objectivity or factual content of the report on Simcoe Place. Mr Peters has confirmed to the standing committee that he is fully satisfied with the response of the vice-chair to his concerns.

Beyond that, I want to say that I think trying to assess lack of confidence in this entire House and in the injured worker community is an absolute crock.

ONTARIO DRUG BENEFIT PROGRAM

Mrs Lyn McLeod (Leader of the Opposition): That is an issue we will return to, but I do want to direct a second question to the Minister of Health.

Today we learned that you will not be pursuing your misguided plan to charge user fees for prescription drugs to seniors. You have finally admitted that copayments are in fact user fees, and you have acknowledged that user fees will just hurt seniors. But the real question is: Why did you ever allow these threatening proposals to be put on the table in the first place?

Hon Ruth Grier (Minister of Health): The proposals that were put forward in our consultation paper were very wide-ranging. They called for reform of the way drugs are administered and prescribed in this province, and they asked for people's comments as to how we could make the system better.

As part of that, we proposed copayment from those who currently benefit from the Ontario drug benefit plan and believed that to talk about sharing in the cost of a product was not a user fee.

The Leader of the Opposition is right, the public disagrees and believes very strongly that being asked to pay for part of prescriptions in fact will hurt the vulnerable and the elderly. I agree with them and so does our government, so we are not moving to put in place those copayments.

But the fact that we want to reform the system has not been changed and the support we received as a result of our consultation for many of the reforms we're proposing was virtually unanimous.

1400

Mrs McLeod: The question to the minister is, what does she believe? The public does not believe that copayments are anything other than new user fees. The issue is, what does this minister believe and what is the place of new user fees in her government's philosophy and its policy? I ask this question because even though you have today said that you will not go ahead with foolish, threatening proposals to charge new user fees to

seniors for their drugs, there are still new user fees on the table.

You know well that cystic fibrosis patients, that organ transplant recipients, that AIDS patients remain afraid that you are going to charge them user fees of up to \$2,000 a year for the drugs that they need to stay alive. Surely you would agree that these too are among the most vulnerable members of our society?

These people need your assurance that you are not going to charge user fees on their life-sustaining drugs. Will you assure cystic fibrosis patients, AIDS patients, organ transplant recipients, that they will not be hit with new user fees for the drugs they need to stay alive?

Hon Mrs Grier: When I said yesterday that cabinet had said there would be no copayments for drugs, that was what I meant and that applies to everybody who is a beneficiary under the Ontario drug payment plan.

If the Leader of the Opposition chooses to try to misinterpret and twist that, I don't know how much clearer I can be. But no copayments means no copayments.

Mrs McLeod: This is not a question of clarification for the Leader of the Opposition; this is an assurance that people who are out in those communities, who are really afraid about whether or not you are going to bring in user fees, need to have that you are not going to hit them with these fees.

They will be relieved to hear the statement you've made today, but let me say that they also need an assurance that this is not going to be an issue that hits them in the future.

You have agreed that you will not charge user fees to seniors, that you're not going to proceed with these ill-thought-out proposals to charge user fees to those with cystic fibrosis, to those with AIDS, to organ transplant recipients. If that is the case, you will no longer need legislation that gives you the power to impose those user fees in the future.

So I ask you, will you now withdraw the portions of Bill 81 that allow you to charge user fees in the future and give both seniors and people with life-threatening illnesses the assurance that they will not be hit with these user fees now or at any point in the future?

Hon Mrs Grier: The Ontario drug benefit plan covers senior citizens, it covers people on social assistance and it covers people under the special drug program. When I said there would not be copayments for the Ontario drug benefit plan, I did not pick and choose among the categories of beneficiaries; I said there would be no copayments.

That therefore means that many of the issues that are discussed in our consultation paper will be reviewed, and I will be coming forward in the very near future with the reforms that are continuing and that will enable us to assure those people who were worried about drugs.

They were worried about the cost of them. They were also worried about the inappropriate prescribing and use of drugs. Seniors said to us: "We get too many drugs. We get the wrong drugs. Drugs are wasted." We want finally, maybe for the first time, in fact for the first time, better

management of the system. That better management and reform is what they're going to get.

MINISTRY OF HEALTH SPENDING

Mr Jim Wilson (Simcoe West): My question is for the Minister of Health. Yesterday it was revealed that your former deputy minister, Michael Decter, was dining out at taxpayers' expense at the same time that he was lifting money from the pockets of public sector workers through the social contract.

Not only, of course, is this inappropriate during tough economic times, but it sets a very poor example for other senior bureaucrats in your ministry who take their lead from you and your deputy.

Minister, can you tell this House what audits or audit you have carried out to determine whether other senior executives in your ministry are spending money appropriately?

Hon Ruth Grier (Minister of Health): I refer that question to the Chairman of Management Board.

Hon Brian A. Charlton (Chair of the Management Board of Cabinet): This issue was raised here in the House yesterday and is raised again today. I have had a look at the situation with respect to the deputy who was referred to.

Management Board issues a set of directives by which expenses are incurred in the ministries across this government. All of those directives, to the best that we can determine, have been complied with.

The process is that deputy ministers are responsible and accountable through the public accounts of this province. Their expenses are reviewed by the Provincial Auditor and, as far as we're aware, all of the expenses that have occurred have been in compliance with the guidelines.

Mr Jim Wilson: Two independent sources have confirmed to me that an internal audit at the Ministry of Health was carried out and completed three months ago on at least four of the Ministry of Health senior bureaucrats who live outside of Toronto. I've been told that the reason for this audit was to examine why these officials have living accommodations in Toronto subsidized by the Ontario taxpayer.

I say to the Chair of Management Board, will you share with this House the results of the Ministry of Health's own audit into the living accommodation and spending practices of Jodey Porter, Patricia Malcolmson, David O'Toole and Eileen Mahood? Do you, Minister, feel it is appropriate for taxpayers to be denied essential health care services while bureaucrats are given living allowances to live close to their offices in Toronto?

Hon Mr Charlton: The member has raised a number of questions in reference to several specific individuals. I will consult with the Minister of Health and look into the matter.

Mr Jim Wilson: This question would be most appropriately answered by the Minister of Health, who is responsible for the audits that were carried out by her ministry. I don't expect the Chairman of Management Board to know what's going on in the Ministry of Health, as he doesn't know what's going on in most of the rest

of the government on the best of days.

Since I'm stuck with the Chair of Management Board, I will remind him that his colleague the Minister of Health, at the Ontario Hospital Association's convention last week, spoke at great length of the need for hospitals to trim their fat and to find innovative ways to do more with less.

While the minister and her bureaucrats have been telling hospitals and health care professionals to bite the bullet, many of these same bureaucrats are living at taxpayers' expense in Toronto. Meanwhile, hospital beds are being closed, drugs are being cut, cancer patients are waiting for surgery, dialysis patients are finding themselves on ever-increasing waiting lists for treatment and now the Ministry of Health is playing brinkmanship with cystic fibrosis patients.

Minister, how can you, in good conscience, continue to deny critical treatments for patients and make random cuts to services while condoning taxpayer-paid living accommodations for senior bureaucrats?

Hon Mr Charlton: I have already said I would consult with the Minister of Health and look into this matter.

Mr Jim Wilson: She said the audit—

The Speaker (Hon David Warner): Order, the member for Simcoe West.

Hon Mr Charlton: It's extremely interesting how short the memories are around this place. The question was raised yesterday about expenditures of the deputy in the Ministry of Health that were available publicly through the freedom of information process because of policy decisions that were made by this government. Past administrations did not make that information available.

Even more than that, the kinds of audits the member's referring to, although I have no knowledge of them myself, are being undertaken in the Ministry of Health for precisely the purposes the member refers to: to weed out the kinds of things he's talking about. It's interesting to note, and unfortunate, that the administrations that preceded us here in this province never did any of this.

1410

CONDUCT OF POLICE SERVICES BOARD MEMBER

Mr Chris Stockwell (Etobicoke West): I have a question to the Solicitor General. I want to send over, through a page, a notice of a public meeting that took place last night at the Metropolitan Toronto Housing Authority. This public meeting took place last night and I think a very, very serious thing happened last night.

A Toronto Sun reporter signed in to this public meeting, told them she was a Toronto Sun reporter and started taking notes for two hours of a speech given by a member of the police services board, Mr Minors. At the end of that meeting, this Sun reporter—Sharon Lem, I believe her name is—got up and was surrounded by four or five people demanding that her notes be given to them and that she not take them with her. She did not want to give those notes to those four or five people who surrounded her. In fact, having spoken to her, she felt she was being physically intimidated.

She, on a couple of occasions, turned to Mr Minors, who was the guest speaker at the time, who saw this all taking place, for help.

Mr James J. Bradley (St Catharines): Is this the police commissioner?

Mr Stockwell: This man is a member of the police services board, appointed by this government. Mr Minors, during the entire proceedings, did not step in to assist this reporter, did not try to stem this theft—and that's what it was, theft—but in fact told the Toronto Sun reporter to turn over the notes to the five or six people who were intimidating her. I have been informed further that the Metropolitan Toronto Police Force is treating this as a theft, a criminal action. They have turned the investigation over to the Ontario Provincial Police.

I ask the Solicitor General, what action are you going to take with Mr Minors in the meantime, considering this investigation is taking place?

Hon David Christopherson (Solicitor General): I'm aware of the article that appeared in the paper. I do not have any facts beyond what I also see reported in the media. If indeed there is a police investigation going on, then obviously we need to be sensitive to that. The Ontario Civilian Commission on Police Services has the jurisdiction and the opportunity to review the conduct of members of police services boards, and that is an option that is always available.

Let me say very directly to the member, I appreciate the concern he's raising. It is a matter of concern. I will look into the matter further and monitor the situation and ensure that any action or reviews that need to take place do indeed happen.

Mr Stockwell: I just don't think that's a good enough answer. First of all, I can't believe that the minister has not been briefed on this issue. With a couple of simple phone calls he would have discovered that the Ontario Provincial Police are now looking into this matter.

Let's turn this around just a little bit. This is a member of the police services board who's entrusted, we hope, to maintain law and order in Metropolitan Toronto. This man is accused, at least being investigated, of not only not stopping a crime but in fact facilitating this crime by not helping the Toronto Sun reporter at this meeting. We know full well he could have stopped that theft from taking place. Further, if this were a member of the Metropolitan Toronto Police Force being investigated by the OPP, it would happen in a New York minute. You would suspend that policeman with pay while the investigation was taking place.

I direct to the minister, why is this member of the services board not obligated—not obligated on your part to take the same action you would take on a policeman? Why is this member not being suspended while this investigation is taking place?

Hon Mr Christopherson: I've got to assume that surely the member isn't suggesting that based on one media report he feels he can do an instant investigation, be an instant judge and jury and mete out whatever measures should or should not be taken.

I do take the issue very seriously and I have said so. I

have said to the member that I have no intention of not dealing with this. But there are procedures in place; there are processes in place. I think the honourable member would surely be among the first to rise to his feet if indeed a proper process was not being followed. I have committed to ensure that the availability of those processes are made and that they take place.

Mr Stockwell: Talk about a double standard. Not 10 minutes ago did the member for Leeds-Grenville stand in his place and speak about this Premier with respect to Constable Rice and the shooting that took place. One media report said, "Bob Rae said that the fatal shooting of Raymond Lawrence, a suspected drug dealer, was part of a disturbing pattern of racism." In one media report we talk about "a disturbing pattern of racism" and this constable was cleared of all charges.

I say to the Solicitor General, it's a double standard you have here, sir. If a policeman or a policewoman were involved in an investigation by the Ontario Provincial Police, you would suspend them. I say to you, you have an obligation to the people of this province to ensure that the police services board is above reproach, is there to defend the people of this community.

You have another opportunity to fix this, sir. Why will you not suspend a member of the police services board when he is being investigated but you will do that to any police person who works in Metropolitan Toronto? Sir, that's nothing but a double standard.

Hon Mr Christopherson: It is absolutely nothing of the sort. The fact of the matter is that there are processes in place to deal with these kinds of allegations. I have committed here on the floor of the Legislature that those processes and procedures will indeed be used and will take place. That is why they're there.

In terms of any kind of allegation from the honourable member that I, as the Solicitor General, would treat this situation any differently were it a civilian or a uniformed person, I take great exception to because that is not the way that I conduct business in dealing with this ministry.

AGRICULTURAL LABOUR POLICY

Mrs Lyn McLeod (Leader of the Opposition): I want to place a question again to the Minister of Labour, although on yet another issue of concern. Minister, when the government introduced Bill 40, you promised that farmers would have special protection under separate agriculture labour legislation. Last year the task force that you established to review agriculture labour legislation issued a report demanding that you implement specific provisions to protect the sensitive nature of agriculture.

Minister, anybody who operates a farm can tell you that crops don't stop growing and animals don't stop eating when there is a labour dispute. Work stoppages can ruin crops, they can hurt livestock and they can force farmers into bankruptcy. You promised that you would implement the recommendations of the agriculture labour task force, but an independent legal review of the agriculture labour legislation has found that your legislation does not include the protections that were promised.

I ask you, why have you not kept your commitments to the agriculture community?

Hon Bob Mackenzie (Minister of Labour): Well, I don't think that we have not kept our commitment. Whether or not we will get the bill on the floor of this House this fall or whether it'll take longer than that, I'm not sure. I want the member to know that the two parties, when we pulled them together on this particular issue, came up with the unanimous recommendation. It's that recommendation we're following in trying to draft the proper legislation.

Mrs McLeod: I can tell you that the people who participated in the task force that you set up to bring recommendations that you promised to implement are feeling angry and they're feeling betrayed.

Let me give you two specifics. You said that you agreed with the task force recommendation to prevent strikes in agriculture. But your legislation has no enforcement provisions, no penalties to make sure that strikes and work stoppages do not happen.

The task force also recommended that family members who work on farms not be forced to join unions. But under your legislation, adopted children, uncles, aunts, nephews and nieces are not considered to be part of a family farming operation. Obviously, you have no idea of how family farms work.

The independent legal review has found 10 major provisions that contradict your task force recommendations.

1420

Interjection.

The Speaker (Hon David Warner): Order, the member for Sarnia.

Mrs McLeod: Minister, you cannot continue with legislation that fails to implement the promises that you made to the agriculture community. Will you not withdraw this piece of legislation and go back to work with farm groups to make sure that you are able to fulfil those commitments?

Hon Mr Mackenzie: The legislation hasn't gone out yet for debate. We tried to get an agreement not to delay the legislation from both parties in the House and we're prepared to take a look at it and any changes that might be necessary if the opposition parties are prepared to take a look at the legislation. We certainly do intend to try and follow the recommendations that came from both the farm community and the union side of the committee that met on this issue.

SPECIAL INVESTIGATIONS UNIT

Mr Charles Harnick (Willowdale): My question is to the Attorney General. It was recently reported in the Toronto Star that a woman has been waiting for almost two years to learn the details surrounding her husband's death. Given the current special investigations unit legislation, this investigation is no closer to being concluded now than it was two years ago.

In January of this year, your government announced a program evaluation of the SIU with a completion date set for July 1. Minister, it's been over four months since you were scheduled to receive this report. In light of the widely acknowledged problems with the SIU and the importance of its role, when are you going to release this

report and introduce the necessary legislation to fix the problems?

Hon Marion Boyd (Attorney General): The member is quite right that we have been awaiting the report. The audit is not yet in my hands but I understand is well along.

At the same time, the SIU of course has been reviewing both its operational processes and has been going through a very extensive hiring process which will result in the hiring of at least five additional investigators as well as a senior former police chief who will have a good deal of authority over the operations of the unit. As soon I do receive the report, I will be making a statement about the changes that the SIU has made and will be contemplating in the future.

Mr Harnick: Minister, you see, the problem is that the special investigations unit of the police department has been continually criticized for inept investigations, inadequate training, extraordinary delays and lack of communication, and I can appreciate that you're going to hire more investigators because it's not right when a car accident takes six months to investigate. But that's not the crux of the problem. It's not a matter of throwing in money and new personnel just to do investigations.

Over a year ago, Howard Morton, the head of the special investigations unit, publicly stated that the unit could not properly function within the constraints of the current legislation. A coroner's jury recently concluded the SIU is incapable of properly functioning under the current circumstances.

Minister, can you explain why, since you took over the jurisdiction of the special investigations unit in March 1990, you've not introduced the necessary legislation that will allow the SIU to properly serve both the public and the police forces of Ontario?

Hon Mrs Boyd: I'm delighted to take from the comments of the honourable member that he would support legislative strengthening of the role of the SIU, because I would certainly agree with him that strengthening of that role would probably be effective in terms of dealing with some of these issues.

However, we have made a commitment that any changes in that part of the Police Services Act will undergo thorough study by us and consultation with the affected groups. That was a commitment that we made in this House and we certainly take very seriously that there are conflicting interests in this. Those may be the calls from the director of the SIU, but there are other and conflicting ideas on how this matter is best resolved. We are continuing to work at various options and we will continue to do so.

ACCESSORY APARTMENTS

Mr David Winninger (London South): My question is directed to the Minister of Housing. We know that apartments in houses which allow one rental unit in a home promote compact development, make better use of often underutilized urban resources, promote the revitalization of our city cores and prevent urban sprawl.

We know that having an apartment in a home allows a home owner to defray mortgage and utility costs by

renting to a tenant. We know that the construction of apartments in houses will create much-needed jobs and that the average rent for an apartment in a home is less than in a rental complex.

Finally, we know that many seniors are on fixed incomes and would benefit from apartments in houses and garden suites. I come to the question. There are, in effect, 100,000 illegal apartments in houses in Ontario, often substandard and subject to eviction at the whim of the landlord.

The Speaker (Hon David Warner): The question?

Mr Winner: Since apartments in houses promote jobs, income security and affordable housing for tenants, including seniors and single parents—

The Speaker: Could the member place a question.

Mr Winner: —when can we expect the legislation, Minister, respecting apartments in houses to move forward?

Hon Evelyn Gigantes (Minister of Housing): That was a wonderful question. The member will be aware that in fact for all the good reasons which he has mentioned, both as benefits to property owners, benefits to people who would be involved in constructing apartments in houses and benefits to both future and existing tenants, because we would be providing more powers of inspection for existing illegal and substandard apartments in houses—

Mr Steven W. Mahoney (Mississauga West): Don't listen to municipalities; they don't matter.

The Speaker: Order. The member for Mississauga West.

Hon Ms Gigantes: —we have tabled and provided first reading for legislation to promote exactly what he is asking for. In fact, the government intends moving forward with that legislation through second reading this fall.

Mr Winner: I'm sure my constituents would also be interested in knowing what initiatives for affordable housing your ministry has undertaken while we're awaiting this legislation.

Hon Ms Gigantes: The member is quite correct in identifying the apartments-in-housing legislation as only one element of this government's program to promote the existence and create new affordable housing in the province of Ontario.

We know that fully 25% of tenant households in Ontario are forced to pay over 30% of household income in rent—

Mr Mahoney: Quit giving funny speeches and misleading people, Evelyn.

Hon Gilles Pouliot (Minister of Transportation and Minister Responsible for Francophone Affairs): Did you use the word?

Mr Mahoney: She does all the time.

The Speaker: Order. The member for Mississauga West is to come to order.

Hon Ms Gigantes: —and therefore we have pursued policies to have good rent control and standards of

maintenance provisions for tenants. We have also engaged in the largest non-profit housing creation program in North America. We've allocated over 40,000 units in the three years that we've been in office and we are moving forward on the apartments in houses legislation.

TUITION FEES

Mr Dalton McGuinty (Ottawa South): My question is for the Minister of Education and Training. Students at the University of Ottawa are holding a demonstration on campus today. Like university students across the province, the University of Ottawa students are concerned about what you're going to do to their tuition fees.

Since the academic year ending in 1991, tuition fees have gone up by 30% while the cost of living has gone up by only half that. The Council of Ontario Universities wants you to increase fees by 50% over two years. You said that a substantial tuition fee increase is on the way. We're hearing now that you'll be increasing fees by 30% over three years.

You know, Minister, that tuition fees make up only 20% of a student's actual cost of attending university out of town. You also know that students can't find a job to help pay for the tuition. You also know that you've eliminated student grant assistance in this province. Students are very anxious about the increase you're about to make in their fees. What assurance can you give Ontario university students that their fees will not increase by anything more than a moderate increase?

Hon David S. Cooke (Minister of Education and Training): I think that first of all the member asked a similar question yesterday in committee but used a different figure. Instead of talking about the rumours of 30% over three years, I think he talked about 15% and 10%. There are all sorts of rumours out there. There's been no decision made. In fact, a recommendation hasn't even been finalized in the Ministry of Education and Training. So I wouldn't jump to any conclusions about what a tuition increase would be for September, 1994.

I think it's also important to realize that as was restated again this morning in the morning newspapers, Ontario has the second-lowest tuition in all of Canada. So keep that in mind. We have some financial pressures in our university system.

In fact, you've got up and asked questions in the House on other days and said that the universities need more money. Your leader gets up at other times and says, "Lower the deficit." What do you want to do? You want more moneys to universities. You want a lower deficit. The only way that can happen is with some tuition increase to help the universities and to expand the universities in the province.

1430

Mr McGuinty: If the minister won't talk about a decision he's going to make, let's talk about a decision he's already made. That's his decision to turn a blind eye to universities raising tuition fees through the back door.

Last year, you raised tuition fees by 7%, but you allowed universities to raise fees even further through the back door. For example, although you allowed univer-

sities a \$135 increase in fees, Western university added \$200 to that and the University of Toronto added \$185, and they did this by jacking up their ancillary fees. The real increase in tuition fees for Western students was not 7% this year, but 18%.

Your ministry's guidelines prohibit a university using ancillary fees to cover operating costs, but that's exactly what universities are doing. Western specifically said it was charging an additional \$200 in ancillary fees in 1993 because of social contract cuts to its operating budget.

My question: Why are you allowing Ontario universities to raise tuition fees through the back door, pass on their social contract cuts to students and breach your own ministry's guidelines?

Hon Mr Cooke: The member is simply misinformed. The Western ancillary fee increases have nothing to do with the social contract. He knows that. It's completely inaccurate and silly to make that accusation.

I don't support what some of the universities have been doing on ancillary fees, and I've told the leadership of the university community and the students that when we bring forward a policy on tuitions, we will also want to see some commitments from the university community to keep a lid on ancillary fees. That's a commitment we're willing to make. It's too bad you didn't take action when you were in government.

Mr McGuinty: A point of privilege, Mr Speaker: The minister alleges that I am misinformed. I have a copy of the minutes for the board of governors for Western university. It reads, "Through its expenditure control"—

The Speaker (Hon David Warner): No. Would the member take his seat. Being informed or not informed is not a point of privilege.

AGRICULTURAL LABOUR POLICY

Mr Noble Villeneuve (S-D-G & East Grenville): To the Minister of Agriculture and Food: Last week, the Minister of Labour received a 30-page critique of agriculture's thoughts on Bill 91. I'm sure you're aware of that. Actually, a quotation says, "Bill 91 fails to translate into statutory form the consensus developed by the Agricultural Labour Relations Task Force on a number of critical points." Those critical points number 11. The Minister of Labour totally ignored them.

Agriculture, sir, is your area of responsibility. Will you make sure that the Minister of Labour knows that in agriculture we have seasonal workers, not like running GM? Will you make sure that when Bill 91 comes to this Legislature, it does reflect agriculture's concerns?

Hon Elmer Buchanan (Minister of Agriculture and Food): Of course we will address those concerns. That's why the bill was put together by a committee representing different commodity groups, representing labour. Another group has taken a look at the bill. They have pointed out some things they'd like to see changed, and I would like to assure the member that in cooperation with the Ministry of Labour, we certainly will make sure those issues of concern are addressed.

I do not think this is the appropriate time to try and nitpick on the bill. I think there's enough consensus around the bill from all the groups concerned. We feel

confident that this bill has the support, and that perhaps with a few minor modifications that have been suggested, we can bring this bill forward with the unanimous consent of everybody.

Mr Villeneuve: These are 11 major points of concern, Minister, and I think they're more than minor modifications.

When the Minister of Labour brought in this bill, he accused me of being the only negative person. Interestingly, we now have the entire area of agriculture very concerned about, first of all, the Ministry of Labour, knowing nothing about agriculture, moving into your domain and basically taking over what we have thought should have been your responsibilities. It's clear that the Ministry of Labour, based on Bill 91, hasn't the faintest idea of what goes on in rural Ontario.

I reiterate to the Minister of Agriculture that unless major changes occur in Bill 91, I must say to you that you are not doing your job. Will you do your job, Mr Minister?

Hon Mr Buchanan: Of course I'll do my job. I also want to point out that the Ministry of Labour and the minister certainly understand agriculture and understand rural Ontario or they wouldn't have put together a committee which is made up of farmers in order to put that legislation together.

I would like to remind the member—

Interjection.

The Speaker (Hon David Warner): Order. The member for Grey-Owen Sound is out of order.

Hon Mr Buchanan: Whether there are one or two or 11 suggestions that have been made, I don't think the number is important; it's the significance of them. We do have consensus on the major items and I think that with a few—

Interjection.

The Speaker: The member for Grey-Owen Sound is out of order.

Hon Mr Buchanan: —modifications we can proceed.

I would like to caution the member that the alternative to bringing this bill forward, even if it has a wart or two on it, is that the agricultural workers at this point in time will be subject to the same rules as everyone else, and that is not the desire of this minister. We're looking for some special provisions for agricultural workers and the agricultural industry.

Without bringing this bill forward, they are going to be exposed and they're going to be covered by labour relations as it fits with auto manufacturing. So there's some interest for members of the other side to support this bill so we can bring it in and deal with it and get it passed.

INTERPROVINCIAL TRADE

Mr Kimble Sutherland (Oxford): My question is to the Minister of Economic Development and Trade. I was surprised to read in the Financial Post this morning that the provincial governments have reached an agreement on internal trade as part of comprehensive negotiations. Is this true, Minister?

Hon Frances Lankin (Minister of Economic Development and Trade): I think members of the House will know that we are engaged in interprovincial trade negotiations, which are ongoing. The Financial Post report that the negotiations have been concluded is in fact quite inaccurate.

Right now, the chief negotiators are meeting on an ongoing basis. At the next meeting of the ministers of internal trade, when it comes up in either December or January—the date's still to be confirmed—we will have an opportunity to review the progress that the chief negotiators have made. I think progress is being made but there's no deal that's been concluded at this point in time.

Mr Sutherland: The article also makes reference to agricultural marketing boards, and I was wondering if you could inform this House and my constituents as to how a supply management system may be part of these negotiations.

Hon Ms Lankin: Supply management is not an issue that is under negotiation in these interprovincial trade negotiations. I believe that in the internal document the Financial Post referred to, there were illustrative cases put forward from a number of sectors, but I can assure the member that supply management boards are not under negotiation. These negotiations, in the area of the agriculture and food sector, are being directed by the ministers of agriculture. He could seek further information there.

I understand that at the federal level, the chair of the interprovincial trade negotiations is issuing a press release today to also correct the record with respect to the Financial Post article.

1440

DRINKING AND DRIVING

Mr Steven Offer (Mississauga North): I have a question to the Minister of Transportation. You will be aware of your public relations exercise in the area of zero tolerance: zero tolerance, no blood alcohol while driving a vehicle. But zero tolerance without a penalty is just a fancy press release, just words on a piece of paper. You are aware that there is no driving penalty for a young person, a person under the age of 19, having any alcohol in their body.

As you are aware, I have introduced legislation which will prohibit persons under the age of 19 from operating a vehicle while having any alcohol in their body, the penalty for which, on contravention, would be the suspension of their licence for one year. My question to the Minister of Transportation is, will you support this legislation?

Hon Gilles Pouliot (Minister of Transportation): It's quite refreshing and welcome indeed, with respect of course, to have a member opposite not talking about money and to have a member of the government talking about saving lives. It's quite a departure from recent form and hence certainly the cooperative attitude.

The member has approached me, and I very much appreciate this, with ways to sort of make it foolproof. For instance, you cannot, under the statutes in the province of Ontario, consume any alcohol if you're

younger than 19 years of age. This is a given; it's the law of the land indeed.

The only dilemma we could possibly have is with the legislation under our safety initiatives—and there are many programs that we're bringing forward—the ability of that legislation to blend, to connect with the desire and the substance of what the member is bringing forward. I don't say this as a deterrent; quite the opposite. It has to work together. There has to be a beginning, a middle and an end, and it must never be contradictory for its application and enforcement thereafter.

We're looking forward to good cooperation. If it's his idea, it shall remain our idea. We're not offended by it and look forward to working together. But first we must make sure for the citizens we represent that both pieces of legislation blend and blend well.

Mr Offer: I cannot understand that type of response by the minister. On an earlier date, I sent over to the minister statistics from Dr James Young, the chief coroner of Ontario which really do indicate the depth of the problem in terms of the fatalities on the roads where alcohol is a contributing factor. We have young people in the gallery today.

Mr Minister, the issue is this: There is a law in this province now that people under the age of 19 cannot legally consume alcohol. There is no law in this province that a person under the age of 19, having consumed alcohol while in the operation of a vehicle, will suffer a penalty.

This question is very simple: Will you support legislation in which a penalty is foisted upon young people under the age of 19 who operate a vehicle while having alcohol in their body?

Hon Mr Pouliot: We already have under the statutes—

Mr Offer: You don't have a driving penalty.

Hon Mr Pouliot: —laws regarding the legal drinking age in the province.

Mr Offer: There is no driving penalty.

Hon Mr Pouliot: Will you stop shouting like a jackal?

The Speaker: Would the minister take his seat, please. The last remark was not helpful, but on the other hand the member asked a very serious question and I would anticipate that he would appreciate a thoughtful reply. The minister now has the opportunity to provide that.

Hon Mr Pouliot: I will withdraw. There's no call for this and I apologize. Under the heat of debate when we both take our roles rather seriously indeed, sometimes our temper, our temperament, gets the best of us. I apologize.

Perhaps just as importantly, if there is a way that we can arrive at it, if it's commonsensical, if it works in the real world, we shall endeavour to do so. We're talking about the same thing. What the member says is, "Why don't you support my bill?" and what we're saying is, "If your bill is applicable, does not contradict the legislation already in place, if it is workable, if we can monitor compliance, we will do it together."

UNIVERSITY STUDENT SURVEY

Mrs Dianne Cunningham (London North): I have a question for the Minister of Education and Training. I'm sure that the minister as well as myself was made aware of a news article this morning by Christie Blatchford in the *Toronto Sun*, where she was reporting on equity questionnaires that are being distributed to university students who are applying to get into our universities.

Since we've had a number of questions, I thought I would pose it to the minister in the House. It states: "The resulting data will be used to develop and justify various 'quota' systems at the province's 20 publicly funded universities."

I wonder if the minister could take the opportunity of this question and explain to us just what this is all about, since the ministry is funding to the tune of \$150,000 a grant to do this survey, why it chose to use this vehicle to get this information and what it's going to be used for.

Hon David S. Cooke (Minister of Education and Training): When I read the article this morning in the newspaper, I was quite concerned myself. Then I decided to try to get the facts. We should never rely on the *Toronto Sun* to present the facts on issues like this.

The fact of the matter is we don't have good statistics in this province as to the makeup of our university bodies. You know that we've had these discussions in committees around here before. Some of the universities have done censuses on their own to get a proper analysis of the makeup of student bodies in the province. That has been hit and miss. So the universities decided that it was appropriate, through the application process, to get an idea of who was applying to go to university in Ontario.

I want to make it very clear, and I've got the form in front of me that the students fill out, how the information will be used. The information you provide to the application centre will not be disclosed to the universities before the admission decisions are made.

This has nothing to do with admissions to the universities. It's a statistical analysis to help us in the ministry, in the provincial government and the universities to plan our university system and to get a better idea of the makeup of our university applicants in the province of Ontario. It has nothing to do with quotas. It has nothing to do with that issue whatsoever.

Mrs Cunningham: I'm obviously raising it so that there is a clear understanding. I do have to remind the minister that when a similar question was asked about gathering data on crime, he stated in the House that it was okay to ask all these questions but it wasn't okay to ask a person's race. So we do have a double standard in the kind of forms that are being filled in and being asked to be filled in across the different ministries. I would ask you very carefully to take a look at that, because in fact it is a question in the eye of the public.

Getting back to this issue, I have to say to the minister that right now we're advised, and he knows this as well as I do in my position as critic, that across the province of Ontario right now there are some universities that do have quota systems based on some of the answers to these questions or maybe based on needs, especially in

the fields of education. In fact there may be a need for that.

I'm going to ask the minister this: What is he going to do if there is a need for these systems, which we don't really know about but we hear are in place? What is he going to do provincially about these quota systems that are being established in colleges, teachers' colleges especially, faculties of education across the province of Ontario, when he's saying today he doesn't have these data? It's already taking place.

Hon Mr Cooke: The member is dead wrong. There's not a quota system in the universities of this province; there's not a quota system in the faculties of education of this province. There are programs, as there are at York University, and there have been for many years, even when your party was in power, that try to promote a variety of criteria for admission to the faculty of education, something you've advocated and something I've advocated.

It is just good common sense to have a teaching profession that represents the entire province. I do get exercised about these types of questions, because it's not helpful to make accusations about quotas when they're not there, they're not true, and you know that they're not there. It's not helpful to try to make accusations about a system that are not true when we're trying to have a university system that is more representative of the province and do it in a way that everybody can support and make it that way in a way that everybody can support.

The universities have programs in place—

The Speaker (Hon David Warner): Would the minister conclude his response, please.

Hon Mr Cooke: —programs that you supported. So don't try to alienate people from the system when we're trying to make a university system and a professional system that is representative of all of Ontario. Your kind of accusations are not helpful.

1450

NHL DISPUTE

Mr Ron Hansen (Lincoln): My question is to the Minister of Labour. I've been following with interest the negotiations between the National Hockey League and the NHL referees. I know that in Ontario, under the amendments to the Labour Relations Act, it is illegal to hire replacement workers during a strike.

Can the minister tell me why replacement referees have been hired for games played here in Ontario?

Hon Bob Mackenzie (Minister of Labour): It's nice to get an intelligent question in the House for once. The NHL can, unfortunately, hire replacement refs because the referees are not recognized as a trade union under the Ontario Labour Relations Board. They have not been certified by the OLRB and, therefore, they don't have access to the provisions of the law. They are not recognized as a union because they have not gone through the usual process of getting at least 55% of members to sign cards.

It makes an interesting question that maybe should seriously concern the referees and linesmen going through

the process, but I think we should also be aware that, if they did go through the process, it's likely they would also have a battle with the NHL over jurisdictional grounds as to whether it was national, provincial or international.

Mr Hansen: Is there any way for these workers to access the provisions of Bill 40 in order to halt the replacement workers from being used in a work stoppage in Ontario?

Interjection.

The Speaker (Hon David Warner): Order. The member for Burlington South is out of order.

Hon Mr Mackenzie: In response to the final question, were I in the position of the linesmen and the referees, at least I would try the process of organizing in the province of Ontario and becoming a member of a certified union before the board.

However, I also fully understand that there would undoubtedly be a challenge by the NHL over the fact that it's not just a provincial jurisdiction; it's international. That might very well make their efforts not very successful.

Mr Jim Wilson (Simcoe West): On a point of order, Mr Speaker: I'm just wondering why an employer cannot discourage his employees from unionizing—

The Speaker: That's not a point of order.

Interjection.

The Speaker: No. The member has a question for question period. If he'll take his seat, perhaps he'll have an opportunity. We still have time in question period.

WORKERS' COMPENSATION BOARD

Mr Steven W. Mahoney (Mississauga West): My question is also to the Minister of Labour, and since I won't have time for a supplementary I'll try to wrap it up into one.

This morning in committee, it was quoted that Mr Brian King said something to the committee that Mr Di Santo agreed was incorrect, and I'd like you to hear it.

On September 15, Mr King said:

"As a matter of fact, the company that ultimately ended up as the real estate holding company," of the new building, "the numbered company 799, had been specifically audited by the Provincial Auditor's office in 1990, at which time the Simcoe Place development was known and it was known that 799 was going to hold the Simcoe Place."

The auditor comments, "This passage contains a number of statements which are not factually correct." He says that at no time during 1990 was it known about Simcoe Place or the investment in Simcoe Place.

In fact he says, "By the time of completion of the audit of investing activities, September 1990, the WCB had placed ads in newspapers requesting pre-qualification information from parties interested in providing space." In other words, the board had asked for submissions. The auditor had not audited the numbered company that holds the real estate investments for the WCB.

The Speaker (Hon David Warner): Could the member place his question, please.

Mr Mahoney: The auditor had nothing whatsoever to do with it. Mr King, according to Mr Di Santo, in response to my question—

The Speaker: Does the member have a question?

Mr Mahoney: —made a factually incorrect statement, the auditor said it was factually incorrect—

The Speaker: Would the member take his seat, please. I have asked several times. If the member actually has a question, I would invite him to now place it quickly.

Mr Mahoney: What's your hurry?

It was pointed out in committee this morning that Mr King had made an incorrect statement. My question to the minister is: Do you agree with Mr Di Santo that Mr King made an incorrect statement to the committee and misled the committee? If you do agree with that, what are you going to do about it?

Hon Bob Mackenzie (Minister of Labour): On this specific question that's been asked by the member, I'll get back to him at a future meeting of the House.

PETITIONS

EMPLOYMENT EQUITY

Mr Hugh O'Neil (Quinte): I have a petition which I would like to present. The petition is from many people in the area of Quinte and it reads:

"To the Legislature of the province of Ontario:

"The government of Ontario has presented to the Legislature of Ontario a bill identified as Bill 79, An Act to provide for Employment Equity for Aboriginal People, People with Disabilities, Members of Racial Minorities and Women.

"We, the undersigned, believe most of the items in this bill are discriminatory, racist and inflammatory.

"This bill, if passed, will create additional cost to employers, double jeopardy legal entanglements and an entirely new bureaucratic hierarchy in this time of financial problems for governments and industries.

"We, the undersigned, request that you withdraw or defeat this bill."

REPORTS BY COMMITTEES

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr Beer from the standing committee on social development presented the following report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill 50, An Act to implement the Government's expenditure control plan and, in that connection, to amend the Health Insurance Act and the Hospital Labour Disputes Arbitration Act / Projet de loi 50, Loi visant à mettre en oeuvre le Plan de contrôle des dépenses du gouvernement et modifiant la Loi sur l'assurance-santé et la Loi sur l'arbitrage des conflits de travail dans les hôpitaux.

The Speaker (Hon David Warner): Shall the report be received and adopted? Agreed. Shall Bill 50 be ordered for third reading? Agreed. So ordered.

STANDING COMMITTEE
ON REGULATIONS AND PRIVATE BILLS

Ms Haeck from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr58, An Act respecting the County of Grey

Bill Pr61, An Act respecting the City of Toronto.

Your committee begs to report the following bill as amended:

Bill Pr48, An Act respecting the City of Toronto.

The Speaker (Hon David Warner): Shall the report be received and adopted? Agreed.

1500

ORDERS OF THE DAY
TIME ALLOCATION

Mr Charlton moved government notice of motion number 12:

That pursuant to standing order 46 and notwithstanding any other standing order of the House, in relation to Bill 8, An Act to provide for the control of casinos through the establishment of the Ontario Casino Corporation and to provide for certain other matters related to casinos, one further sessional day shall be allotted to consideration of the bill in committee of the whole House. All amendments proposed to the bill shall be filed with the Clerk of the assembly by 3:30 pm on the sessional day on which the bill is considered in committee of the whole House following passage of this motion. Any divisions required during clause-by-clause consideration of the bill in committee of the whole House shall be deferred until 5 pm on this sessional day. At 5 pm on this sessional day, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee of the whole House shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto and report the bill to the House. Any divisions required shall be deferred until all remaining questions have been put, the members called in once and all deferred divisions taken in succession.

That, upon receiving the report of the committee of the whole House, the Speaker shall put the question for adoption of the report forthwith, which question shall be decided without debate or amendment.

That, at the end of the sessional day on which Bill 8 is called for third reading debate, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment. No deferral of any required division shall be permitted.

That in the case of any division in the House relating to any proceedings on the bill, the division bell shall be limited to five minutes.

Hon Brian A. Charlton (Government House Leader): I'll again be very brief today, but I think it's important that I do make a few opening comments on this

motion to proceed to use time allocation to complete the legislative process around a piece of government legislation.

The circumstances today are somewhat different than the circumstances we found ourselves in as a government around the piece of legislation yesterday. This is a circumstance where this bill has been through the second reading process, has been through extensive committee hearings during the legislative break in August and September, had some considerable amount of time allotted to it in clause-by-clause during that break and has gone back into clause-by-clause discussion here in the House.

Unfortunately, in this process the opposition has made it very clear to the government that, firstly, there are several sections of this bill that it will not under any circumstances allow to pass. The consequence of that is the very piece of legislation itself. In fact, the opposition has said clearly to this House leader that it has no intention of seeing this bill pass in the form the government intends it to pass in. From that perspective, this is in fact the kind of circumstance where I guess almost any House leader of any government party would find it necessary to proceed with time allocation.

We have allowed a very extensive process around this piece of legislation; it had extensive public input. But there comes a time when democracy must be served, when the government must be allowed to govern and deliver the legislative program it has initiated. Since the opposition has made it very clear to us that it will not allow this bill to pass without this kind of action, we must proceed to use the standing orders to move this piece of legislation forward to its completion. So, as unfortunate a circumstance as it might be that we find ourselves in, I find it necessary to proceed in this fashion to get on with the rest of a very lengthy legislative agenda that will follow this bill.

Just before I take my seat, when my remarks end the remaining time this afternoon will be, as I understand it, split by the two opposition parties to discuss this question.

The Speaker (Hon David Warner): Is that agreed? Agreed. Is there further debate on the resolution?

Mr Carman McClelland (Brampton North): Mr Speaker, I recall, less than 24 hours ago, sitting in this place observing an exchange between you and my government House leader. Mr Elston, the member for Bruce, stood in his place and challenged you as Speaker in terms of a government time allocation motion that was brought yesterday. It was a very passionate debate.

I'm not going to revisit that right now, simply to say that during the course of that debate I interjected when the government House leader said, "None of us likes to use time allocation motions, but from time to time they become necessary in terms of the scheduling of government business." He stood in his place with great righteous indignation and talked about how he had to move forward with the government business and introduce a time allocation motion yesterday.

At that point in time, you chastised me, Speaker,

because I came back to my seat and I heckled—I confess I did that—and I said, “Tell me now, then, Mr Charlton, that you’re not going to introduce the time allocation on Bill 8.” He smirked, of course, and just sort of shrugged his shoulders. He said: “I really don’t like doing this. This is contrary to what I believe in, in terms of the democratic process and the operation of this place, but I’m doing it on the photo-radar legislation because I feel compelled to do it.”

Again, I interjected from my seat here and said to him, “Tell me, promise that you won’t do it on Bill 8.” Again, a smirk from the government House leader, knowing full well that yesterday he was going to do exactly that same thing.

Hon Mr Charlton: We just tabled it yesterday.

Mr McClelland: You tabled it last night. The government House leader said, “We just tabled it yesterday.” You stood in your place yesterday, I say to the government House leader through you, Speaker, and you knew exactly what your intention was doing. Notwithstanding all of your rhetoric about how you don’t like to do it, you have no hesitation. The bottom line is this: If people disagree with the government, people and the process can be put aside. All that matters is that the government gets what it wants, the way it wants it, when it wants it.

It’s interesting to hear the government House leader say, “We gave everybody ample opportunity.” The fact of the matter is, we have had two days of debate in committee of the whole on this legislation—two days. We got hung up on one specific amendment that I introduced that will be debated at length tomorrow for an hour.

Mr Kimble Sutherland (Oxford): You have delayed it and delayed it.

Mr McClelland: Some caterwauling over here from the member: He says it was delayed. We discussed for two days on one amendment. The great irony, of course, is the government members would stand in their place and say, “We agree with this amendment, we think the amendment makes sense, but we’re not going to pass it.” The member for Grey-Owen Sound stood in his place and said, “Maybe if the government introduces the amendment, because it agrees with it, then it’ll pass it.”

That amendment specifically spoke to the fact that the taxpayer, at the end of the day, will not be responsible for any losses incurred from the construction and/or subsequent operation of a casino, a fairly straightforward amendment. Yes, it became a hurdle in terms of moving this legislation through the process as we go in sequence, section by section.

So we got hung up on section 6 and spent the better part of four hours, which is a considerable period of time, granted, on one amendment. But I remind you that at that time the government took the absurd position that, “We agree in principle with what you’re saying, but we’re not going to pass it.” Members of both opposition parties spoke to that over and over again, and now the government has the unmitigated temerity to stand and say that it gave this full due process. I have never heard anything more absurd and disingenuous in my time I’ve been here.

I received a number of phone calls from the electronic

media in the Windsor area last week. I went on, I believe it was, CBC. CKLW also interviewed me and a number of other media. The woman who was interviewing me said this as she teed up the interview: “‘Bill 8 is being delayed by the Liberal opposition at Queen’s Park,’ says Mr Cooke, the Minister of Education, the member for Windsor-Riverside. We have on the phone, and after this break”—of course, all the usual; they’ve got to pay for the show, take a pause to sell some time—“we’ll be back to talk to Mr McClelland to find out why the opposition is delaying the bill.”

I said at that time, and I say in this place again, that the opposition is not delaying this bill. I say very plainly and clearly that the government, and the government alone, is responsible for any delay on this bill. In fact, there has not been delay. There’s been two days of discussion on an amendment that the government says it agrees with.

Furthermore, they did not call the legislation until late in September and allocated two days. They wait now until mid-November and say, “My goodness, we’re in a crisis situation.” The fact of the matter is that this time allocation motion is being brought because the government cannot manage its affairs. They have had no idea of where they’re going with this legislation.

Shortly after this legislation was introduced in the House, in question period and on other occasions I had exchanges with the Minister of Consumer and Commercial Relations. I have said to her, “The fact of the matter is that you let the good ship Casino sail from the harbour and had no idea where you were going.” It has been evident from day one that the minister, with all due respect to the minister, who is a fine woman, has no idea what’s happening with this legislation. She is totally out in the dark on this. What happens is that she reacts from day to day, from whim to whim, and has no idea of what’s going on.

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I predicted it, interestingly enough, a couple of weeks ago. I said: “Do you know what the government’s going to do? They’re going to sit”—and it’s interesting that there are some electronic media waiting to interview me following the debate today. They said: “That’s really interesting. That’s exactly what you said would happen.” I said a couple of weeks ago: “The government will wait and at the appropriate time, a couple of weeks from now”—being some time this week or next week—“will throw up its hands and say, ‘Oh, isn’t this terrible. The opposition is delaying the bill,’” knowing full well that it had not called the legislation for debate, that it had devoted only two days in committee of the whole and was actually setting the table so it could rise with some sort of indignation and a sense of righteousness.

The government House leader says, “Well, you know, we have to allow democracy to work.” What absolute hogwash. Allowing democracy to work? “We’ll introduce a time allocation motion and cut off legitimate debate, on some very significant amendments that are before this House and some very controversial sections of the bill,” which I think quite frankly the government wants to avoid debating, because I think the government’s embar-

rassed and would be embarrassed to have to discuss some of the more contentious elements in this bill.

That is the reason we have the time allocation motion today. It has very little to do with moving along the legislation or having any regard to the government's agenda. It has everything to do with the fact that this government has been unable to manage. They have demonstrated with Bill 8, as they have with other pieces of legislation, incompetence and a total lack of management. This bill has been handled in such a way, and I say this without fear of having it corrected, that they created a situation where they could try to justify a time allocation motion.

There was no need for a time allocation motion. It would have required perhaps a little bit of reasonable response from the government. The government House leader says, "We had public hearings for a few weeks." Do you know what the public said? The public said they're concerned about taxpayers' costs on this matter.

Interjection.

Mr McClelland: One of the government members, Mr Dadamo, moans when he hears me say that. It's very interesting. It seems to me that if you go back home to Windsor and talk to the people there, they too will tell you, notwithstanding the fact that they're in favour of the project, generally speaking, that there's some opposition in Windsor, as one would expect. They're saying they too have concerns about some of the economic modelling in the forecasts. The fact of the matter is that people are concerned that the taxpayer not be responsible and left with some white elephants in and around the province.

It is also important to note that Bill 8 is not about the Windsor casino. Yes, the government announced a time frame off the top of its head, if you will, without any real thought to it, and said, "We're going to have the interim casino up and running for January 1, for New Year's Eve." It became apparent that they weren't able to do that and they bumped the date a little further and said maybe into March.

Now I suspect, if you want another prediction, they'll say: "It would be really good to try to get this on stream for the Freedom Festival on the long weekend in July so that we can capture some of the American market as they come over and use it to kick off the casino with some sort of fanfare and appropriate celebration."

They will need another excuse. Doubtless it will be perhaps the Liberal opposition or maybe this time it will be the PC opposition that delays their March date. They'll find an excuse to pin on somebody else or to attempt to pin on somebody else why this legislation has been delayed.

It hasn't been delayed. There's been two days of discussion on it. The government House leader comes in, picks up his paper, looks over at me and smiles, because he knows what I'm saying is true. The record indicates very clearly two days of discussion. Having had those two days, the government found itself in an embarrassing situation. So what do they do? They wait and they wait and they wait, and about a month later they throw up their hands and say, "Oh, the opposition's delaying it."

It has been delayed, and it's been delayed, as I said, because the government doesn't know where it's going or what it's doing. I suppose when you run into a situation where it becomes patently obvious that you are mismanaging a situation and have fairly patently demonstrated that you're incompetent in the matter, you obviously look to blame somebody else. That's what the government has tried to do.

One of the reasons I alluded to a bit earlier, and we'll probably get into this if the government doesn't find some other way of killing debate, get into some of the substantive elements of Bill 8 that are contentious, is that we know that there is a court application pending, that there is a contentious matter with respect to the lands that would be used for the permanent casino. There is also some question as to the propriety of entering into a lease arrangement on behalf of a corporation that doesn't yet exist. Be that as it may, those are some issues that I'll leave for my friends in the legal profession to battle out in the appropriate forum.

But I think it very interesting on this note, that as we look at some of those contentious issues that I believe the government wants to avoid, to effectively sidestep as they introduce this time allocation motion, I suspect that what they don't want to deal with is the fact that they have an amendment that they lost in committee. We know about governments that lose amendments in committee.

It was very interesting to see, when one of the government members, the member for Windsor-Walkerville, spoke in favour of an opposition amendment, that there was suddenly a recess called and all the minions ran over from the minister's office and, if I can use it only sort of euphemistically and in allegory, kind of beat up on him in the corner and persuaded him that it would be in his best interests to vote against the opposition motion even though he had spoken in favour of it. It's not perhaps a wise career move to vote against the government. We know what happened to Mr Hansen when he stood up for his principles and what happened to Ms Haslam when she did the same thing. They probably reminded him of that and said, "You know, you don't want to vote with the opposition on that, even though you believe it, in committee," and so that was changed.

Regrettably, the minions from the minister's office weren't quite quick enough when it came to a section 19 amendment that the government's really concerned about. That amendment was lost in committee and, to his credit, the Chair of the committee, a government member, Mr Johnson, stood with tradition and protocol and maintained the status quo.

That amendment, in my view, that was lost and I suspect will be slipped through by way of this time allocation motion—and I suspect that's one of the motivating factors for introducing this time allocation motion at the present time—would have effectively bypassed, potentially eliminated, in my view, some remedies available in law to some land owners.

Now, without getting into all of the argument on that particular section—because I suppose that the government may even break down and allow one full day of discussion yet to remain, and I'm sure we'll have ample

opportunity to discuss it at that point in time—let me give you an idea of why the government is trying to avoid discussion on this.

Their amendment to section 19 of Bill 8 would effectively say to people who own lands where the casino project is to be located, the permanent casino: “We’re sorry. We don’t like the fact that you’re objecting to our acquisition here. To be really, really sure that we can acquire the lands, we’re going to change the law to circumvent your legal remedies and your right to protest and to use the Ontario Municipal Board and the Planning Act and other vehicles and remedies that are available to you.”

Effectively, what the government has said is, “We’re not sure we’re going to win this, so we’re going to use the power of government to change the rules in terms of property rights because we want to have our way.” Some people may say, “Well, you know governments; that’s the way it happens,” because this government has a certain propensity to ride roughshod over people when it has to be their way.

It’s really interesting. I recall the Premier in 1990 making a big splash in the papers and electronic media when he went up to Temagami and arranged to have himself arrested because he wanted to fight for people’s rights. It’s interesting now that his government stands by and says, “People have some rights and they have some concerns and some beliefs in terms of their property rights with respect to the acreage in question in Windsor, but we don’t like the rules the way they’ve been written, so we’re going to change the rules.”

During a committee meeting I likened it unto sort of the old coin toss, where you say, “Heads or tails?” and you call heads and it turns out tails and you lose and you say, “Well, let’s try two out of three,” and, “Let’s try three out of five,” or four out of seven, and you keep going until you win.

Let’s put it another way: “Let’s keep playing the ball game and we’ll keep adding an inning on until we’re ahead, and that’s when the game will stop.” That’s what the government is saying. That may sound simplistic, but what they’re saying is this: “We’re not sure we’re going to win this court case, so with a section 19 amendment we want to change the rules to ensure that we’re gonna win.”

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There are some land owners in Windsor who have some legitimate concerns about their property rights. Whether I agree with them or disagree with them is, quite frankly, irrelevant in terms of the substantive argument of their case. What I think is fundamentally at issue here is their right to make their case.

I find it, quite frankly, appalling that a government that, when it was in opposition, said it stood for the rights of the little guy—I use that in a generic sense—or the little woman—I don’t mean that in a disparaging sense—the people of the province of Ontario, that we’re going to stand for them and fight for them, now says: “When people have some rights that they want to exercise and they disagree with us, we want to push them out of the

picture. We want to change the rules to make sure they can’t engage in their protest with the government according to the rule of law that was established prior to entering this particular piece of legislation into debate in the House.” I find that absolutely repugnant.

Anyhow, the government members sit there because they’ve heard all this stuff before. We all hear it and we get a little bit insulated, I suppose, from some of the rhetoric because there’s an awful lot of rhetoric in this place from time to time. But I would ask some of the government members to listen very, very carefully to this situation.

I want to lay out a bit of a scenario for you. Ask yourself how you’d respond to this, because I think I know how you would respond. I think I know exactly how you would’ve responded when you were in opposition.

Presume, if you will—and I don’t use this to be dramatic—a single mom with two or three kids who has a piece of land on the corner of a property in the city of Windsor. Some big, bad developer—because, according to the New Democratic Party, anybody in business and developers are all bad people; they’re all profit-hungry people—but those big, bad developers, they want to come in and, God forbid, they want to make money; they want to develop this land.

They put a proposal to the land owner and they say, “We want to give you”—say, arbitrarily—“\$100,000 for your property.” She says, “No, I don’t want to sell.” They say, “Well, we’ll give you \$200,000.” She says, “I still don’t want to sell.” Next thing you know, “You’re crazy; we’re offering you twice as much as the land is worth.” She says: “I don’t care; I want to stay here. This is my home and this is where I belong and I want to stay here.”

Then that developer came to the government and said, “Would you pass a law or an amendment that gave us the opportunity to kind of circumvent the existing protections under the Planning Act and rezoning procedures so we can get this lady’s property and go ahead with our development?” You know what would happen then? There isn’t a woman or a man who carried the New Democratic banner who wouldn’t have stood—probably literally if not figuratively, laid down in front of the bulldozers for that woman. You would’ve done it and you would’ve been proud to have done it.

There are some ministers sitting in this House today who would’ve done it. There’s a former minister standing in this house today who would’ve been proud to have been associated with that kind of a fight, to fight for a person who is defending her rights. But you know what happens here? It’s changed a little bit now. Now it’s the government that has a project. Now the government wants to proceed and there are some land owners who say: “We don’t want to give up our land. We think what you’re doing is wrong. We have some remedies available that we want to exercise.”

As I said—and I want to interject this—whether or not I think the land owners are right or wrong is really irrelevant. The fact is, they have a right in law to make an application or to put forward a remedy—some might call it a hurdle; so be it—in terms of this development.

But the government comes along and says: "It's our game this time and we're the ones who want to do it, so you know what? Our principles don't matter any more."

This government—as I read today in the article by Steven Langdon in the newspaper, that calls upon the Premier to resign—stated very, very clearly and succinctly evidence that points to the fact that this government is willing to compromise its principles if it's expedient for it to do so. This section 19 amendment that they're going to propose, I say without fear of retribution in any sense, is exactly that. It's a fundamental departure from the principles these people who call themselves New Democrats used to fight for and proudly do so.

There are some members of the caucus who, I think, when they understand, if they choose to understand what's happening here, will be very, very loath and perhaps in their conscience find themselves unable to vote in support of that particular amendment because what you're saying is this: "We want to change the rules to ensure that we get a win."

During committee hearings, legal counsel was called from, I think it was, Municipal Affairs, to testify. She testified before the committee and said, "I was asked for advice on this one and I indicated that the government would probably win at the end of the day. They'd go through the expropriation procedure with the city and so forth. When I say 'the government,' obviously they're proponents of this particular project so they're in partnership in that sense, if you will, but they wanted this to take place. But I can't guarantee them," said legal counsel, "that they're going to have the victory."

I think that any of my colleagues in this House who have practised law or have been associated with the legal profession would know that it's a very poor, unwise lawyer, she or he, who guarantees any outcome in a case. All they can say is that on balance they suspect the following will happen. I've always said that any lawyer who gives you a guarantee is probably not a good lawyer, because there are no guarantees in a lot of things in life, and law of course is one of those things in life where there are very few, if any, guarantees.

What legal counsel said was: "Well, I can't tell the government without qualification that they're going to win. They probably will." The government said, "We want to know that we're going to win, and how can we do that?" She said, "You're going to have to change the rules."

That's great. That's like saying, "The Leafs this year are going to win, I hope, without any help." That would be like saying: "We want to make sure that the Leafs win this year, so you know what we're going to do? We're going to keep penalizing the other team and taking one of their players off the ice until we pad a lead and make sure that we can run the clock, and when it comes to 19:59 of the third period, we'll allow the team to revert back to the other rules."

You kind of chuckle and say, "That's kind of silly, isn't it?" But that's precisely, if you want to use that imagery, what the government's doing. They're saying, "We're going to change the rules in this case because we're afraid we might lose, and we don't like to lose."

It's interesting that this is the government that used to say: "We don't like people to lose. We believe in people's rights."

The member for Durham East stood in this House two weeks ago Thursday and spoke about Remembrance Day and very genuinely displayed emotion. There's no question that was a genuine expression of gratitude and respect for women and men who gave of themselves for this precious commodity that we call freedom and some of the pleasures that we enjoy under our system of government. This is the kind of thing that we're talking about here. He stood there and talked about that. Part of that is a sense of property rights and a sense of having the opportunity to have rule of law and predictability in law.

This government says, "Sorry, we might lose this case, so we're going to change the law to make sure that we win." To the New Democratic members who are in the House or are busy doing other things or are back in their office watching this debate or who may watch, or the folks back home who are watching this or hear about it, remember what's happening with this. It's only one section of one bill affecting some 14 property owners or so. I think the number may be 20 for 14 acres or 14 for 20 acres. Be that as it may, a couple of dozen property owners have some land in question for a casino development.

What we've allowed here is the beginning of the erosion of a principle, and that's a fundamental property right that says, "If the government wants to do a project, I have my right to defend it and to put it through due process and through the due process of law." This government says, "I'm not prepared to give that to those people, because it's our project and we'll have it our way."

Talk about the little kid who says, "I'm taking my ball and going home if I can't have things turn out my way." That's exactly what this government is doing, and it's using the time allocation motion to hide that very fact.

I say to you that I will not allow that to happen. Whether anybody picks up on this and whether or not it becomes a matter, I'll tell you that my caucus colleagues are assured of this, that we have made the point and put it on the public record. But when the government of the day begins to, I believe, get on that slippery slope of justifying bringing the power of the state down to bear on people who disagree with it, in a heavy-handed manner, it has opened the door for some potentially very serious consequences down the road. It's like a lot of other things in life. Once you do it once, it becomes easier the second time, the third time and the fourth time and suddenly you forget; you forget what this is all about and you forget some fundamental rights and some fundamental freedoms that we enjoy.

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You know, I would be accused of being dramatic, but so be it. The member for Durham East stood and talked about people who fought and died for the right to at least have a rule of law, an opportunity to challenge governments in the courts.

I would hope that in this case the government members would look very, very closely at what their leadership is proposing to do, understand what's happening with this particular section, understand that in section 19, when we get to that amendment, you're saying to some people, "We're not going to allow you the opportunity to have your due process of law." I guess the question is, when you do it once, is it okay the next time? Is it okay to do it a bit more and the fact situation changes?

Let me get back to that little hypothetical scenario I gave you a while ago about the single mom maybe of two or three kids who had the little corner lot that the developers wanted to develop. Do you know what these government members would do, Mr Speaker, if that was the situation and that was the person whose property rights were being potentially challenged? Every woman and man on the New Democratic side would rise to her aid and to her defence. They would make a hero out of her. I said in committee, "It's the stuff that you would want to see made into an ABC Sunday night movie or a CBC Sunday night movie." That's true.

I think it's so telling, and this will probably rankle them a bit, that when the socialists don't get their way, they say: "It's okay to change the rules to make sure that we get our way because that justifies it, because we must be right, after all. We'll change the rules to make it right. Civil disobedience is okay if it's what we believe in, and changing the law is okay if it's what we believe in. But people be damned if they disagree with us," says the government, "because we have the power and we'll use it to our advantage." And therein lies, I believe insidiously, the real folly of this time allocation motion, apart from the fact that governments use time allocation and this government has used it more freely than any other government in the history of Ontario.

What's really underneath it all? I think what's underneath it is the following. They're embarrassed about the way they've mismanaged this. They haven't managed it well from day one. They have demonstrated, I think, complete incompetence in terms of the management of this legislation. They don't know where they're going with it, or how, or when, and suddenly they find pressure.

The members from Windsor find pressure back home. "What's happening? How come the legislation isn't passed? Why are we having trouble with the interim site? Why has the January 1 announced opening date passed and gone and now we're into March and probably into July? Why is it that maybe this thing won't get off the ground before the next election and maybe the project's in jeopardy?" All of these questions are being asked.

So government members come back from their weekends in Windsor and say, "Oh, my God, this isn't going well." People scurry around and they sit down and they strategize and the political staff say: "You know, if we string this out long enough, we could always introduce a time allocation motion, justify it—people aren't going to pay too, too much attention to that—ram it through, minimize the debate, minimize the fallout and get on with the project, and we'll have somebody to blame. We can blame the opposition."

Nice scenario. But you know what? People aren't that

stupid. You may think they are and you may think that people really don't care about the procedural aspects about this place.

It was interesting when the rule changes took place. We had great debates where my friends the member for St Catharines and the member for Bruce and others on the government side and the members for Oriole and York Centre stood and talked about the traditions of Parliament and the rules and how they had evolved. People said, "Well, that's just the way you conduct business." I'd go back to Brampton evenings or on the weekends and they'd say: "Why are you women and men so hung up on these rule changes? Does it really matter?"

I suppose in some sense, you know, when you're trying to meet a mortgage or worry about your kid's health and wellbeing and school and so forth, these things are secondary at best and are somewhat esoteric. They are sort of "out there" and the kinds of things that happen down at the Pink Palace. I think that our behaviour collectively or individually from time to time gives people a sense that "You guys are all crazy anyway and you don't really know what you're doing."

But there are some real, fundamental issues at stake here when you begin to change rules partway through the game. When the rule changes came down here, people said: "What's happening? Does it really matter?" They didn't really pay much heed to it. But when something came down the pipe in terms of legislation and they wanted us to fight it, we said, "You know, the most we can do is have half an hour on this one because of the rule changes." They said: "How come you didn't fight the rule changes? Where were you?" and we reminded them that we did fight it but the government felt it was expedient to change the rules to its advantage.

So where are we now? We're in a situation that's very similar, I say to you. Maybe it's not particularly analogous, but I think it's similar in kind. We have a situation where the government says, "We believe in this concept of open debate and we believe in this concept of free votes and we believe, sort of theoretically, in the opportunity for people to go into committee hearings and have their views presented and then brought to the floor of the Legislature by way of amendment by the opposition," and I say quite frankly by way of the government from time to time as it responds to things it's heard across the province.

But when push comes to shove, when you get right down to where the rubber hits the road, if you don't like what the opposition is doing, it's find a way to slide out of it, find a way to keep people quiet, find a way to make sure the public really doesn't have an opportunity to understand what we're doing.

A time allocation motion such as this one plays that scenario so very, very well for the government, because we can talk about the amendment that became the contentious issue a couple of weeks ago, about three or four weeks ago, the amendment that said the taxpayer would be responsible. We can talk about the amendments at length if we want, make the points and let's move on, I would say.

We could do that, but the government has said: "You

know what? No matter what you do we're not going to listen to the people of this province and we're not going to give you the amendments." So we fight, as opposition members, as is our responsibility to do on behalf of the people of Ontario.

The government House leader says, "Well, you know, democracy," and stands and sort of lifts himself and puffs himself up and says: "This is an issue of democracy. We have to get on with the government's agenda." The fact of the matter is, if they really believe in democracy they would listen to the people and allow themselves the opportunity to think through some of the things they're doing and to deal with it in a forthright, direct manner.

I don't think it's the end of the world when you have a time allocation motion, but I think when you do it this way you begin to erode, ever so insidiously and ever so slowly, the institution we all serve in, the process that has served us well for so many years.

Sometimes government is tough, sometimes it doesn't go your way, but maybe there'd be a lot more people around—and I say to you, Mr Speaker, although you sit in the chair and do so very well in a non-partisan fashion, maybe some of your colleagues who served with you over years past who got caught up in the reaction, the wrath of the people, would still be here.

I take no particular personal credit for having survived the 1990 election. A lot of good, good women and men were defeated and a lot of good women and men are going to be defeated sitting on the government side who served their constituencies to the best of their ability.

One of the reasons many of them, if not every single one of them, are going to be defeated is because they too came in with these lofty ideals about listening to the people, but when it comes down to it they say: "Oh my God, I might lose my parliamentary assistant position or my committee chairmanship or, God forbid, I might be chastised by the Premier and embarrassed in front of my caucus colleagues. I'm going to just kind of let this thing slide by and be silent. I might even go to the washroom during the vote." We know how that game's played.

I say to the government members, think about what you're doing, not on the time allocation motion but the stuff you're trying to hide on this, the substantive amendments that were tabled by the opposition. Yes, it's true we got hung up on one amendment. The member is no longer here. The member for Oxford, Mr Sutherland, said, "Yes, but you spent two days on one amendment." Yes, we did spend two days on one amendment, because we were frustrated when the government would stand in its place and members were saying: "It's a good amendment. We believe in it. We agree with the principle but we're not going to support it because it's an opposition amendment."

The Conservative member from Grey-Owen Sound stands in his place and says, "Maybe you don't like McClelland," he sort of said tongue-in-cheek. "I can understand if you don't like him. He's in opposition and he's always bugging the government. Why don't you introduce it yourselves and we'll support it."

So, yes, we got hung up on one amendment, but for

the government House leader to say that's somehow an abuse of democracy I think is absolutely antithetical to what in fact actually happened. That is not in fact the case. The government's introduction of the time allocation motion is contrary to some of the democratic principles we believe in.

The members of this government when in opposition stood for hour after hour after hour filibustering legislation they didn't believe in, and they like to pat themselves on the back and liken themselves unto some latter-day heroes for having done that, as they sort of figuratively stood on the bridge singlehandedly.

The member from Thorold held off the barbarians and saved the nation as he fought hour after hour on government auto insurance. He was a bit of a folk hero. I know since that time there's maybe been a little bit of parting of company and a little bit of disagreement around the kitchen table, but the now government members, then sitting in opposition, thought that was great.

You know what happens when somebody else in opposition now starts to do it? They think it's terrible because it's suddenly their game that's being upset, their game plan, and now they have to bend a little bit and now they have to compromise, and they don't like that. They find that really, really hard to deal with.

1540

When all is said and done you come back to this particular government motion and you ask yourself, why are they doing it? They're certainly not doing it because they're wanting to get this legislation through. If they wanted to get the legislation through, they would have called it a lot earlier. They would have allowed some more extensive debate on the contentious issues.

In fact, if they really wanted to do it, they might have suggested something like this: "Well, obviously we're hung up on section 6, on that particular amendment. Why don't we set that aside and move on to the rest of the bill and come back to that if we can't find some resolution?"

You could do that with unanimous consent. We suggested it to the government, but they weren't prepared to do that. You know why, Mr Speaker? Because they wanted an excuse. They wanted to set the table to be able to say, "We're bringing in time allocation because those terrible Liberal opposition members and PC opposition people are holding up the government's agenda."

I think that is the height of disrespect, not for this place—although I think it is for that—and the traditions of this place, but for the people of Ontario, because, when all is said and done, the people of Ontario have us as their voice in this place. Whether you're in favour of casino gambling or not and whether you like the bill in its present form or not, as the government has said, we have no intention of seeing this legislation pass in its present format, and that's true. Failing some very significant amendments, I am personally not prepared to support this legislation and, as critic for my party, it will be my recommendation to my caucus colleagues that we not support this legislation in its present format.

That is not an anti-Windsor scenario, lest my friends in Windsor run back and trot out some sort of absurd

statement that we're trying to hold up the Windsor casino. We're saying, in short, that this is a bad piece of legislation that has a lot of holes in it. It hasn't dealt with a number of the issues. It hasn't dealt with the assurance of the infrastructure in terms of policing being in place for the city of Windsor. It hasn't dealt with issues in terms of the horse racing industry. It hasn't dealt with the issues in terms of the social economic impact, the downside impact on the community and how that's going to be responded to.

In point of fact, during committee hearings I asked the question of the consultants who were paid some quarter of a million dollars plus to craft the report in support of the casino legislation. I said: "Tell me about your studies done that measure the downside impact in terms of the social network system, the support system that will be in place in Windsor. How's it going to affect people adversely?"

"That wasn't part of our terms of reference. The government told us not to look at that. They just told us to look at the good stuff and to write a report that took the economic modelling that we could show the people of Windsor and elsewhere in the province what an economic benefit this project was going to be."

We wanted to discuss some of those things in committee. We wanted to talk about the fact that some of the economic modelling was based on best-case scenario and that maybe it's not going to be as rosy as we all think. We wanted to talk about amendments that said the cities that are contemplating casinos should put the issue to the people of their communities for a referendum.

We should have a series of referenda across this province, ideally perhaps the November municipal elections coming up this year. What a wonderful opportunity to put the issue to the people of every community that's contemplating a casino for some genuine debate at the grass roots. That's what this is all about. It's about trying to curtail debate on those issues.

Mr Speaker, I am not sure, and I'm going to ask for your assistance, if I might for a moment, in terms of our timing situation here. I note the clock now shows 47 minutes. Maybe the table could advise us. Is that the time remaining for our party?

The Acting Speaker (Mr Noble Villeneuve): Yes.

Mr McClelland: Thank you, Mr Speaker, I appreciate that. Thank you, table officers. I'm going to leave some time for my colleague the member for St. Catharines, so I'm going to briefly summarize and leave him some 40 minutes, I think, to make his comments.

Let's come back to the original point of departure in terms of my discussion on this particular time allocation motion. We'll have one day to pick up some of the discussion that I referred to, some of the discussion with respect to amendments in terms of the advisability of the casino; the economic modelling; protection for the horse racing industry; infrastructure requirements for the city—in other words, developing a formula to put money into the city to ensure that there's adequate policing, adequate social services; to talk about a fail-safe mechanism or a guarantee that the taxpayers won't be on the hook; to talk

about allowing people to participate at the community level in terms of responding to the question, "Do you or do you not want a casino in your particular home town or your community?"

Those are issues that all need to be canvassed, need to be debated at length, and the government's going to ensure, through its time allocation motion, that they are not given full and complete debate. How much debate is enough? I'm not sure, but I can tell you that an hour and a half in total for all of those issues combined is not sufficient. It's not adequate to begin to look at those very, very significant issues, bearing in mind that this piece of legislation is not only for the Windsor casino, but should it become the order of the day, so to speak, is for casinos all across the province, anywhere, any time. This is the umbrella legislation that will allow the province to introduce casino projects anywhere in the province of Ontario. It's not a Windsor bill.

When the CBC or CKLW or whoever calls me from Windsor and says, "Why, Mr McClelland, are you holding up the Windsor casino project?" I say to them: "I'm not holding up the Windsor casino project. The government has brought forward legislation that it's not prepared to deal with in a responsible fashion. They're the ones who only called two days of debate on it."

The government has the control of the levers of power around this place. The government is the one that sets the agenda. They are the people who call the legislation and allocate time. They're the ones charged with the responsibility of managing, and because they can't manage their legislation or can't manage the agenda around this place, they look for an excuse. So they create a scenario that allows them to stand up and beat their breasts and say, "This is all for the sake of democracy." It's anything but; in fact, it's everything contrary to the fundamental principles of democracy.

These people used to believe in allowing people the opportunity to speak. They used to believe in people's personal property rights. They used to believe in citizen participation. They used to believe in free opportunity for the former member from Haliburton, who resigned, the member from Thorold and others to stand in their places and say, "We think this is wrong."

What happens now? The government says, "We don't want to deal with the heat, we don't want to be in the kitchen and take the heat, so we're going to slide out of this with a time allocation motion." That's what's at stake here. It's not just the debate. It's not just the time on the particular amendments that are put forward in this legislation. What it's about are some very fundamental rights of people and fundamental process of democracy in this Legislative Assembly.

I say, in conclusion, when you begin to erode it around the edges, you wonder how far it will go and how much of a hole you need in the dike before the whole sea starts to rush in. That's what you've done here, make no mistake about it. When you cross over, as inevitably you will, using your majority to force the amendment on section 19, you will have begun to erode some people's rights in law. You will have said to the people, because they're opposed to you: "We're going to change the rules

to make sure that the government wins. We're going to bring down the heavy hand of government to have it our way." No matter how you try to rationalize it and say that it was expedient and necessary, that's what you've done and you can't escape it.

I say to each woman and man in the New Democratic Party, without fear of being contradicted, that had it been another government doing this, you would have stood with absolute outrage in defence of the people whom you today presume to wipe out with one stroke of the pen, and you know it. In your hearts you know that you would have done it and you would have fought to the very last breath to defend those people. But because you're in government now and somebody tells you, "You've got to do it this way because that's our government plan," you're willing to rationalize it away or pretend you don't hear or dismiss it and say, "It's McClelland just rattling on about the government again."

Think about what you're doing. Think about the people who are involved as land owners in Windsor and the fundamental principles of democracy that you're taking away from them, and their property rights. Ask yourself this question: If any government came to you and targeted you personally with an amendment on a piece of legislation to circumvent some rights that you had enjoyed in law prior to a piece of legislation being introduced, how would you feel about it? How would you like it if the government came after you?

1550

The member for Durham Centre looks quizzically at me. Obviously, he doesn't understand the implications of section 19, so let me help him with them a bit. Let's presume the member for Durham Centre owned a piece of land and he didn't want the government to put something on his land and said, "I'm going to fight this," and the government came along and said, "For purposes of your particular land, we're removing your rights to fight it." That's exactly what's happening. You'd be outraged and you'd be calling on your local member of Parliament, your New Democratic member of provincial Parliament, asking him to stand in his place and defend you. That's precisely what's happening here.

The government is saying that it wants to roll its legislation conveniently into a package called the time allocation motion and slide it through in a couple of hours and it'll be done. But it won't be done, and I want to tell you that there will be New Democrats who will rise in opposition to this.

As Mr Langdon bravely wrote today in the *Star*, it's time you return to some fundamental principles. There'll be other people who will write about this piece of legislation and this particular section and say, on this one, that they too will talk about some fundamental principles and individual rights.

This debate isn't just about a time allocation motion. It's about a government that, on the one hand, preaches democracy and, when push comes to shove, does the entire opposite. It's about a government that says it believes in people as long as they agree with it, but if they don't agree with it, "We don't believe in you any more." It's about a government that says, "If we can't

manage, if we're incompetent, we'll blame it on somebody else and we'll try to create a fall guy for it." It's about a government that says: "If it's our way, then anything goes, nothing matters, principles aside. We'll do what we need to do to get our agenda on track, and if anybody stands in our way they'd better look out." It's about a government that says that some of the things we talked about, fundamental rights and freedoms and what people died for, aren't all that important if they stand in the way of its agenda.

That's what this time allocation motion is about, and I can only hope when it comes down to it that some members—because I know I can predict, I think quite accurately, that most of them will vote on this—will really understand what they're doing, that they'll think very clearly about the implications of what they're doing with this time allocation motion.

Mr Ernie L. Eves (Parry Sound): I'm going to participate in this debate this afternoon. I'm not going to be lengthy, by any stretch of the imagination, but I think a few things have to be put on the record with respect to this time allocation motion.

I think maybe we should start with the line, "If this is Wednesday, it must be another time allocation motion by the NDP government," because it seems to be doing this with alarming regularity. A procedure that at one time in the Legislature of Ontario was thought of as being extremely rare and might be used once or twice a year, at most, has now been used twice in two days by this government. They may justify in any way, stretch or form why they are doing time allocation motions with alarming regularity, but quite frankly, I think a great deal of it has to do with their lack of ability to administer government. It's just as simple as that.

The Minister of Agriculture and Food snickers. I don't think he'd be snickering if the province was passing a special section to a casino bill to do away with his rights under the Expropriations Act and the zoning bylaw in place in the city of Windsor. That's probably one of the most draconian pieces of legislation I have ever seen a government take, taking away somebody's legal rights, and that's exactly what it's doing here. Apparently some government members haven't been informed of that perhaps, but that's exactly what's happening. We'll get to that in a minute.

I think the first thing we should talk about is why we're in committee of the whole in the first place. We're not in committee of the whole, I want the government members to understand, because the opposition parties wanted this bill to go to committee of the whole. We're in committee of the whole because the government, to put it politely, screwed up in committee and didn't have its members there and now wants to pass about seven or eight amendments that it couldn't get passed in committee because it only had five people there.

That's where this whole thing started, and I think it's important that everybody know that and understand that, because every vote was tied on the government amendments in committee and the Chairman, doing what proper chairmen should do, had to vote to preserve the status quo. Therefore, the amendments couldn't pass. That's

why we're here, where they have a huge majority. They can't screw this up, I presume. Because they have such an abundance of members, they can't possibly lose this vote. But that is how we got here in the first place. The government was quite frankly not able to manage its own members in committee. That's why we are here in committee of the whole to start with.

Two of their amendments are very controversial. In committee of the whole we've spent about three, three and a half hours on amendments to section 6 of the bill. That amendment was fairly controversial because all the way through Bill 8, the casino legislation—and Bill 8, as the member for Brampton North properly pointed out, doesn't just deal with the Windsor casino. It is the bill that establishes the framework for which all other casinos in the province of Ontario will operate in the future. It is not just the Windsor casino bill, and I think that differentiation should be made abundantly clear to the people out there.

When the government decided that it was going to proceed with casinos, on several occasions the minister and various government officials were asked if the Ontario taxpayer would be responsible for any liability, shortfall or deficit as a result of casinos. In committee, the deputy minister and the assistant deputy minister said: "Absolutely no way. There is no way we would ever, ever operate a casino, making the province of Ontario and ultimately the Ontario taxpayers responsible for the debt or shortfall, should there happen to be one, with a casino in the future."

The member for Brampton North introduced, I think, a very logical amendment along that line, that the province would not be responsible for any loss, shortfall or deficit in the operation of any casino, now or in the future, in Windsor or elsewhere in the province of Ontario.

The parliamentary assistant who was carrying the legislation in committee of the whole assured members on several occasions during that debate over the course of two days that this would indeed be the case. Then, when we brought this matter up—actually, we didn't bring it up. The government House leader brought this matter up in a House leaders' meeting several weeks ago and asked us what our problem was with respect to section 6 of the bill. We told him what our problem was.

I asked the question of the minister that afternoon in the House and she gave a totally different response from her parliamentary assistant, a totally different response from that which her deputy minister gave and a totally different response from that the assistant deputy minister gave. She conceded—I give her full marks for this—that there may indeed be a case in the future in which the province of Ontario will have a different cost-sharing arrangement or may even operate a casino itself and will be responsible for any shortfall, liability or debt, and ultimately that will make the Ontario taxpayers pay the debt as well. That is what the problem was around section 6 and the amendment, the new section proposed by the member for Brampton North.

At a subsequent House leaders' meeting, the government House leader asked us what other problems we had

with the bill, knowing of course that section 19 was a very contentious section. Very simplistically put, basically the amendments proposed by the government to section 19 are going to do away with a land owner's right under the Expropriations Act of Ontario. They're going to retroactively rezone the property so a casino use will be permitted. Right now, the zoning bylaw in place for the city of Windsor for this property specifically prohibits the operation of even a bingo hall, let alone a casino.

So what the city of Windsor has done—and I don't blame it; it wants its casino and it wants it now—is to come to the provincial government and say: "Can you help us out of this legal dilemma that we seem to find ourselves in? It would be very helpful to our case if you could pass these following amendments to the casino bill which will then legitimize retroactively what we're trying to do here in the city of Windsor."

1600

The government has accepted that plea on behalf of the city of Windsor, and it has decided that it is going to amend the legislation to do exactly that. Section 19 of the bill, I might point out, will become effective retroactively as of January 1, 1993, while the rest of the bill will become effective the day it receives royal proclamation, which is the normal case.

So they are setting quite a few fairly disturbing precedents by what the government proposes to do with section 19 of this bill. They're going to fix up the expropriation problem the city of Windsor has, the lawsuit; they're attempting to fix up the zoning problem that the city of Windsor has, so the property will be zoned properly so they can operate a casino, and they're going to do this all retroactively.

They're also going to retroactively affix the date on which the property can be valued for expropriation purposes, which I find very unconscionable. We're going to play with the market value of the property now that we're expropriating from a private property owner, that we don't have the authority to do, but we're going to get the good old NDP government to pass a piece of legislation that strips away those legal rights from people and does it retroactively. That is what this is about. That is exactly what the amendments to section 19 do, and that's what this is about. It's a sad day in the history of the province of Ontario when the Legislature of Ontario is going to pass a law to strip away somebody's legal rights. That's exactly what this is doing.

As I understand it, the city of Windsor didn't even commence expropriation procedures till May of this year, and they want to put these provisions in place retroactively to January 1 of this year.

The reason why we have the time allocation motion today is the last item that I want to touch on briefly here today. The reason why we have a time allocation motion on November 17 is because the government House leader, who calls and orders the business in this place, has chosen to leave Bill 8 sitting here day after day after day, week after week after week, and he tells his friends in Windsor that we're holding it up. The government House leader calls the business. Do you think opposition parties asked for this time allocation motion? We don't deter-

mine the order of business; the government House leader does.

The government House leader could have called this bill each and every day since this Legislature has resumed in the third week of September till now we're here in the third week of November. Two months later, he's finally getting around to doing what he should have done: call the bill. You can't debate a bill if the government doesn't call it. Whether it's called or not is totally and solely at the discretion of the government House leader.

So if the mayor of Windsor is listening and city council is listening and the people of Windsor are listening, you have nobody to blame but the NDP House leader for this government, who refused to call this piece of legislation day after day after day, week after week after week, month after month. That is where the responsibility lies.

As a matter of fact, I have even brought the matter up in House leaders' meetings because he wouldn't do it. He was prepared to see it sit there on the back burner and then at the 11th hour come forward with this draconian time allocation motion to cut off debate, because he didn't want these issues debated. That's exactly what this is about. This is a very embarrassing piece of legislation. These amendments are extremely embarrassing to the government. They are stripping away people's legal rights by legislation. I find that extremely disturbing.

The final little piece of the puzzle is why we're doing it now. It's because the court case, the lawsuit that's going on between the owner of the property in Windsor and the city of Windsor, resumes on December 6, and we've got to get this sucker passed before December 6. That's what this is all about. You want to strip away somebody's property, you don't want to pay them what the fair market value is, it can't be zoned for the use that the city wants to put it to, so we're going to rezone it retroactively, and we're going to do all this before the court case resumes on December 6 to help our friends in Windsor out. There's nothing wrong with helping our friends in Windsor out as long as you don't take away somebody else's legal rights in the process, and that's what you're doing.

This is a very, very disturbing principle and a sorry, sorry day in the history of the province of Ontario.

The Acting Speaker: Further debate.

Mr James J. Bradley (St Catharines): Thank you, Mr Speaker, for the opportunity to speak on this motion, which I wish I didn't have to speak on, because it's a closure motion, or a time allocation motion at least, in this House. This is a result, of course, of the rules which were imposed in this House by Premier Rae in June or July 1992.

What was unfortunate was that my good friends in the Conservative Party voted for those rules and we're now seeing the ramifications of those rules as they're applied. The member for Parry Sound appropriately points out, however, that there's no need to apply them simply because they exist. But when I voted against the rule changes proposed by Premier Rae, I had the feeling that

the government would use the jackboots on the opposition whenever it suited its purposes.

The purpose of a lengthy debate in this House on an issue, one which carries on several days, is to allow the public to canvass the issues, to be informed of the various issues that are involved in a piece of legislation. If it goes through in one or two days without much debate, then there's little coverage of it in terms of the news media.

The public at large, if they stay up till 2 o'clock in the morning, can watch the question period through TVOntario. The complaint I have about TVOntario, by the way, is that since the NDP came into power they have moved question period from 11 o'clock on the French channel and 11:30 on the English channel to 12:30 or a quarter to 1 or 1 o'clock. If there's a program on filing your fingernails, it'll come before question period.

People at TVO have never responded to any of the letters or representations which have been made in this House about what they show on TVO—I've watched at night; people who don't own cable television want to be aware of the good arguments made by the governing side, by the opposition side—about the replay of question period. It is now replayed, in fact, at best at 12:30 in the evening, and I guess the federal House is going to be played at 1:30 in the evening. As I say, sometimes seven different ways of washing your windows comes before what happens in the Legislature.

I expected that the government would use the rules of this House in this particular way, and it greatly concerns me. We will remember that when the rules under which this provision is being imposed this afternoon came in it had the effect of doing a few things. First of all, they restricted debate to 30 minutes. This is a special debate, where time is divided, so that rule does not apply. But in the overwhelming number of cases debate is restricted to 30 minutes per member, when, if there has to be a detailed analysis of the bill, compelling arguments put forward by both government and opposition, it requires very often in excess of those 30 minutes to do it. Bob Rae decided that I shouldn't, nor should any other member in this House, be allowed to speak for more than 30 minutes.

It also reduced the power of you, as the independent Speaker. We used to have in the House an opportunity for the Speaker to make judgements on when a debate would end. I recall those particular rule changes started to restrict the power of the Speaker, who is elected by all members of the House and who, when he or she sits in the chair, is to be impartial. In fact, our tradition has been that the Speaker is impartial.

It also made closure easier, it made time allocation easier. Now, instead of the House leaders determining how much time should be allocated for a piece of legislation, the minister can simply come in and say, "You will debate the bill for the following number of minutes or hours or days." That is pretty arbitrary, to leave that in the hand of the governing party, particularly a party which has been elected with 37.7% of the vote.

That's the way the rules are set up in this country and

I don't object to the fact that that's the way things happen under the present rules. Everyone has to accept that, but it's interesting to note that, with 37% of the vote in the province, this government has this overwhelming power that allows the ministers to make those determinations.

1610

Also, the new rules ensure that the Legislature sits a fewer number of days. In fact, if the Legislature sat the number of days it used to sit before the new rules were imposed upon us, perhaps in those circumstances we would not have to see the government impose closure on this Legislature.

I find it interesting at all times that the New Democratic Party and the Premier of this province, who for years fought for the rights of the minority, fought for the rights of the opposition in this House, fought for the rights of individual members, when in government, gets out the jackboots and stomps on the opposition.

My friend from Etobicoke West, who has dealt with the party members at the local level, told me a long time ago that I was naïve to ever believe that in the first place, but I used to believe it when I sat on the other side of the House. In fact, I used to believe it when I sat here and the NDP sat in the third party's place. I actually thought there was a difference. I was even convinced of it. That piece of naïveté has left me long since, I can assure you.

Why is it important to have a longer debate on this bill? It's because it is a fundamental change in Ontario in terms of taxation of people. Many of the petitions which have come in, as supplied to me by Dennis Drainville, the NDP member for Victoria-Haliburton who has resigned from the House, in very large measure because of a disagreement with the policy of the government as it relates to casino gambling, really point out what used to be the perception about the New Democratic Party as it related to gambling.

The NDP, to its credit over the years—Stanley Knowles, Tommy Douglas, Mr Winch, Mr Coldwell, I'm sure I could go through the long list.

Mr Steven W. Mahoney (Mississauga West): Stephen Lewis.

Mr Bradley: Stephen Lewis, Donald C. MacDonald, Jim Renwick, all of the icons of the party over the years have steadfastly opposed the imposition of this.

Mr Chris Stockwell (Etobicoke West): Pat Lawlor.

Mr Bradley: Pat Lawlor, certainly, the late Pat Lawlor, member for Lakeshore. They opposed this kind of taxation of the poor, because they always made the argument that in fact this kind of government gambling encouraged those who didn't have much in the first place to take a chance to win more. It's always more attractive when you are down and out, when you don't have much money, to take that big chance to win some money. Make no mistake about it, that is who this is aimed at. This is not the Las Vegas crowd that's going to come in.

In fact, there was a secret document. I think the OPP were investigating, because it got to the opposition. The member for Brampton North, Carman McClelland, received the document in a brown envelope. The docu-

ment clearly said, when there was testimony taking place, that you're really not going to be aiming this at the high rollers, you're aiming it in fact at people of modest income, people who are taking a chance to get richer. I thought the NDP would never, never, never bring in legislation which would contemplate that, and that's exactly what's happened.

We recognize, if you look at the experience all over, that the crooks take over. Organized crime inevitably moves in wherever you have casino gambling. Atlantic City is a good example. That was supposed to really help Atlantic City when it got casino gambling. If you look at their experience, I'm sure many people in Atlantic City aren't happy with what has happened there.

People will say: "Well, we already have some forms of gambling. We have lotteries out there." Yes, we do, and maybe years ago they shouldn't have been started or maybe they should, but there's a difference with casino gambling. It's a much more glamorous kind of gambling. It's where people go to the actual location. There's the glitter, the lights, the people dressed up. It's a big event to go to a casino, and that attraction, I'm afraid, is going to bring more and more people who are addicted to gambling out to those particular places.

Do we forget about those people? Do we forget about the families whose main breadwinner or perhaps the two breadwinners of the family come home with very little money left in their pockets because they've squandered the money because of an addiction they have to gambling? As a result, the family and the kids don't get as much as they might have. They have to go to social service agencies, so others have to share that particular burden. It does not help those people.

What was rather surprising perhaps to many of us was an interview that took place on a CBC program that's on Sunday night usually about 10:25, Venture. Robert Scully, who is an excellent interviewer, by the way, both in English and French, interviewed Donald Trump.

Now, I would have thought Donald Trump would have been a person who thought that gambling was good, that casinos were good for a community. He sat there and was interviewed and talked about all the detrimental effects of casino gambling. They asked him, "Are you going to bid on the one in Windsor?" He said, "Yes, I'm very interested in it because I think we can make some money on it as a gambling casino company, but if the community thinks it's going to benefit from it, they have to really re-evaluate that position."

One of the complaints the Liberal critic in the field of Consumer and Commercial Relations, Carman McClelland, has made is that there have not been extensive studies undertaken to determine the effects of casino gambling. The argument is made that somehow this is one casino, "Oh well, don't you worry, this is a pilot project." All this is is the grease for the skids into casinos all over the province.

I'm going to tell you something. I don't want one in St Catharines. There may be people who want one there. There may be business people, there may be people who are entrepreneurs who say, "Oh well, you know, we understand," or people on the other side may say: "It's

just because it's in Windsor. It's easy for you to say." No, I don't want it in St Catharines either. I know people are going to say, "Isn't your area hard hit by job losses and wouldn't this bring jobs?" It would bring a lot of low-paying jobs for a little while.

As we recognize in the gambling field, as long as you're the only game in town, you can make money, but once you're no longer the only game in town—and town in this concept is in the province or is in the country or is in North America—you don't make that kind of money. They start to lose.

That's why my colleague Carmen McClelland introduced an amendment which said words to the effect that the taxpayers of this province will not be responsible for any debt resulting from the construction or operation of a casino in Ontario, the casino contemplated in this particular legislation.

I would have thought the government, if it was so confident that this was going to be successful economically, would have easily accepted that particular amendment. It's a very sensible amendment, and I'm sure many members of the back benches on the government side thought it was a reasonable amendment, but the government wants to cover the part of the body on which it sits. Therefore, the government has to ensure it's not going to box itself into something it can't get out of and may actually have to bail the casino out, so they leave that provision out of the bill.

I think that was a very intelligent and perceptive amendment on the part of my colleague and I'm very concerned that the government did not accept that particular amendment.

There's also the issue of horse racing. Horse racing in this province—by the way, I might add while I'm up on my feet, because we don't get this chance very often, I'm also opposed to offtrack betting. I'm sure my telephone will be ringing from all the restaurants and bars who want it in St Catharines, but I'm going to tell you I'm opposed to offtrack betting as well. That's just another opportunity for people to blow their money on stuff they shouldn't be blowing their money on.

But if they want to go down to the racetrack, if they want to watch the horses in action, if they want to see what is going on there, it's a sport. Then what you're doing is taking money away from that sport. At least there's a sport going on there, and this is going to be detrimental to that particular sport.

It's also going to take money out of the pockets of individual charities. I happen to belong to a service club and I know many of the members of the Legislature over the years perhaps have belonged to service clubs.

One of the disconcerting things I saw happen within the service club groupings was the fact that they used to go out to raise money and a lot of good members, women and men, put a lot of time into raising money in a lot of nickel-and-dime stuff and tough slogging to get it, but what happened after a while was, the purpose of some clubs came to be, "Well, how can we get a Wintario grant? How can we get our hands in the public trough?" It was hard to resist because if everybody else is doing it,

then of course we should be doing it as well.

So we started to lose. I think the member for Durham East would understand this. He's a sensible person. You started to lose that edge, you started to lose the original purpose of service organizations as governments introduced lotteries. I'm going to make the evaluation that I think casino gambling, particularly if it's extended around the province, is going to take some of that money away.

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Yes, the government can say, "Well, we'll make a profit and then we'll give you back the money." I've always felt that the money means more to the club, to the organization, to the service group if they have earned the money themselves through their own projects. Then they provide that to help the community, rather than simply getting it doled out by the government.

It certainly sets a bad tone out there when this main source of income is always the government shelling out to somebody, because very often of course that's the taxpayer who is paying directly through taxes or indirectly through what I call a tax on the poor and a tax on the desperate.

I understand one of the reasons that this bill is being brought forward. It's being brought forward because this government is in desperate financial circumstances. The government has incurred a very large deficit, we are in very difficult economic times, and in desperation is seeking ways to get money in. Yesterday we mentioned photo-radar. I consider—

Mr Gordon Mills (Durham East): Oh, please.

Mr Bradley: Now here I lose my friend the member for Durham East, so I'll be very brief on this so I don't lose him. I think he's on my side on the other issue, but on this one I looked at photo-radar and said we wouldn't have photo-radar coming in in this province if it weren't for the fact that the Treasurer needs money and wants money. That's the main reason it came in.

The member may say there are some safety aspects, and I accept his sincerity in putting that forward. But the same thing is true here of casino gambling. The government is desperate. It can't go to the taxpayer and justify some of the expenditures being made and say, "Here are the expenditures and we think there are some additional taxes that should be brought in for this." There would be widespread opposition to that. I understand that. I talk to the public as well. They don't want any more taxes.

So the government was now saying, "What ingenious ways can we develop to get new money in, painless ways?" Of course, the gambling bug is the one that many people will catch and that's a way to get the money in. That's why they're embarking upon it, because of lack of revenue coming in.

The Detroit and Windsor situation: In Detroit they have by referendum over the years rejected a casino. I've been proud of Detroit. I thought it was a pretty wild, wide-open city, but I think the people there recognized that there's a lot of fallout from having a casino and didn't want one. But I'm going to tell you that they're going to have a casino in Detroit.

If you put one in Windsor, as you're bound and

determined to do with this bill, then what you're going to find out is that they'll have a bigger and better one because they've got lots of money in the United States. Theirs will be better and it'll be bigger and it'll be more glamorous and Windsor's will suffer as a result.

For instance, I look at Pennsylvania. Somebody, I guess it was Mr Drainville, was talking to somebody from Pennsylvania. They said when they brought in the first casino in Pennsylvania it was quite successful. Then, when they allowed casinos in, they had to spread them out and they really didn't make any more money. Three out of the four died.

Now, if you put one in Niagara Falls, Canada, they'll have one in Niagara Falls, USA. If you put one in Ottawa, they'll have one across the border. If you put one in Fort Frances, they'll have one in International Falls. There'll always be somebody else. We should have stemmed the tide. We should have stuck together as two countries, as states and provinces adjacent, and avoided this intrusion of the new, easy moneymaker for governments. But the government decided it would not do that.

When the former Attorney General, now Minister of Natural Resources, the member for Rainy River, was a student, he did a study for the federal government on casino gambling.

Mr McClelland: Good study; good piece of work.

Mr Bradley: It was an excellent study.

Mr McClelland: Good piece of work.

Mr Bradley: As my friend Mr McClelland says, an excellent piece of work on behalf of Howard Hampton, who is the Minister of Natural Resources.

He came to the conclusion at that time that casino gambling was not good, was not something governments should proceed with. The governments of the day obviously listened to this sage advice. I would have hoped that the government of the day today would have listened to the same advice, because I don't think his mind would be changed just because the government's in desperate financial straits.

I know, being a man of principle, the member for Rainy River, the Natural Resources minister, would still believe, because all members of the New Democratic Party have contended, and their predecessors, the CCF, have contended, that they are people of principle. I know that in principle he would be opposed to this and simply, I suppose, to keep his seat in cabinet, he has to keep quiet. I guess that's a price that he's prepared to pay to stay in the cabinet, because I don't think he would be in favour of this.

So we have in Ontario a major change of pace. We have in Ontario a major new policy. That's a policy that no one would have expected from this particular government.

We have to look then at what the impact is going to be on consumer spending. People have only so many dollars to spend, so many dollars available to them. If they're going to be blowing the money on casino gambling, they're not going to have that money to spend on consumer products which were made in all of our ridings, all of our communities in Ontario. Yes, the casinos might

make some money on it, the government might make some money, but people won't be able to spend on those things which create even more jobs in terms of the manufacturing and supply and service sectors.

I look at a number of the issues that surround this. I have another colleague who I think would like to make a contribution. The member for Mississauga West would like to make a contribution as well, and I want to save him a little of the time. But I do want to say—and he may mention his experience—he came back from Sault Ste Marie, Michigan, where there was a casino being operated. As a neutral person, he was telling our caucus, a person neutral in this, he kind of thought, "Well, let's see what happens."

He came back, and his observation perhaps was only one night, but he said you looked in there, and if you said who shouldn't be gambling their money away in a casino, that's who he saw in the casino. That's the sad part of it. It's people who are desperate. You can't blame those people. They're desperate in many cases. They don't have a job or they don't have the opportunity to rise through the ranks that others might have in other circumstances, and they're the people who are going to be spending the money.

Go to your corner store. We all know it. Watch the lineup as you're buying bread and milk and whatever else you need at a corner store. Watch the people line up for the tickets. Who buys the most tickets? More often than not, it's two groups of people: one, those addicted to gambling; two, those who are in most desperate economic circumstances, who want to make the big win.

It's a tax on the poor. Rich people aren't there buying. People who are in the higher echelons economically in this province aren't lining up to buy the large numbers of tickets. They are not going to be going to casinos every day of the week either.

So we have a motion before us which is going to compel us to terminate this debate, to not allow us to continue to bring to the people of Ontario the various arguments, to not allow the people to get an insight into the various issues that have arisen. I have many other issues that could arise out of this, quotations that I have used in the past, but I don't want to go over those time and again.

But I think the petition which was brought forward that is perhaps most interesting, and it was brought to many of us, says:

"Whereas the New Democratic Party government has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party government has had a historical concern for the poor in society, who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario,

"Therefore we, the following, petition the assembly...."

Obviously, these people are opposed to casino gambling, and these are people who may have been supporters of the NDP in the past. I don't know that, but the fact that they would sign a petition which said the NDP has a tradition of being for all of the things that have been mentioned in this petition would suggest to me that if they were not at least New Democrats, they were people who were either neutral to the political system or perhaps people who leaned to the New Democratic Party on issues of this kind. Even some of the people in this province or this country who haven't voted NDP—and this was one of the arguments made in the last federal election—always hoped there would be some New Democrats around to fight these kinds of issues.

That's why Audrey McLaughlin in the latter part of the campaign, when she recognized that her party wasn't going to win too many seats and that there was likely going to be a majority Liberal government, pleaded with people to elect New Democrats to stand up for the issues that you find here.

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What they find out, and it's very disillusioning, is that when a New Democratic Party gets in government it doesn't stand for those issues anymore. In opposition, they made some good arguments. I've read some of the speeches. I've sat in this House since 1977 and heard various excellent speakers from the New Democratic Party defend the position I am defending at the present time. I would have thought that they would have been the people who would have prevented this from happening, prevented casino gambling from being introduced.

It's very difficult for the Speaker who is in the chair at the present time, the member for Niagara Falls, and difficult for me because there are going to be people in our communities who are going to say: "Well, you're in desperate straits in the Niagara region. Why don't you have a casino as well?" I've stated unequivocally that I don't want a casino in St Catharines. I can't speak for any other member but, I'll tell you, it's very attractive. There are very attractive arguments made for the spinoff and the jobs and so on, but the studies I have seen, and they've been limited, indicate that it is unlikely to be much of a spinoff effect in Windsor, that most people are going to come in, they're going to blow their money at the casino and then they're going to head out of town.

We're not going to see what we see in Las Vegas, where people fly in from all over and stay a few days because there is a lot of other entertainment. You've got Wayne Newton—whoever goes to see Wayne Newton—or Frank Sinatra or somebody else or a boxing match, something else that's going on in Las Vegas. That's not going to happen in the circumstances in Ontario.

I find it a very sad day in this Legislature. I find a lot

of things that are happening today disconcerting. I find it particularly disconcerting that we're heading down a path to casino gambling. I'm going to say something: Once you've got it, it's very hard to take it away. Once this bill is passed, once the casino is set up, if another government comes into power, it's very hard for that government to go in and say: "Yes, we were opposed to it in the past and guess what? We're going to yank it out." It doesn't happen that way; things don't happen that way.

That's why it has to be stopped now. That's why it's important to have this debate in the House today. I only wish that members of the governing party, many of whom I know are opposed to this legislation, were allowed to speak their minds and vote the way they want to. They can't do it because of our system. It's not because they're lacking in intestinal fortitude; it's because our parliamentary system doesn't lend itself to that.

Therefore, they would have to really put their own jobs on the line in terms of parliamentary secretaries or committee chairs or something, because the Premier would make sure they were fired out the door and from those positions if they opposed government policy. That's the way the system operates. I've seen that happen many times in many different circumstances. I don't want to simply pin it on the government of the day. That's the way the system works.

I would really love to hear some of the speeches that could be made by members of the New Democratic Party if they were really allowed to say what they think and I would be interested in the vote in this House. It might be surprising. I think you would probably find people in all three parties divided as to whether they agree or disagree with casino gambling.

I don't think everything lends itself to a free vote by any means, because government policy is government policy and it has to defend that policy, but I think casino gambling would have been one area where it would have been very advisable to have the members of this Legislature speaking on behalf of their constituents, attempting to reflect the community points of view, voting on this issue as individual members. Some day that may happen. It is not going to happen today.

Mr David Tilson (Dufferin-Peel): I would like to contribute to this debate, which is essentially the closing down of the debate on Bill 8, the gambling casino bill. I will say that the last time I participated in any discussions involving gambling casinos was in committee of the whole when we were in the middle of speaking to an amendment by the Liberal critic, the member for Brampton North, who was simply asking a very simple question—I didn't mean it as a simple question from the member for Brampton North—with respect to a very obvious request, that if you're going to operate a gambling casino and you're going to allow someone outside the government to be participating in it, why would the province of Ontario guarantee the debt?

His amendment, and I don't have the precise wording in front of me, was a very simple amendment that the province of Ontario would not be responsible for the debt of a casino. We spent a considerable period of time on that and I will say the parliamentary assistant was unable

to answer a lot of the questions. He assured us, "Oh well, this will be provided for in contracts with the casino operators," because this bill applies not just to Windsor but to future gambling casinos across this province, whether they be in Toronto, Sault Ste Marie, Ottawa, perhaps Niagara Falls, wherever the various casinos are being proposed.

The concern of the members of the opposition, and certainly the member for Brampton North, who put the amendment forward, was that it's fine to say, "Oh well, there'll be a contract with respect to Windsor," but why wouldn't you ensure, with respect to the rest of the province, that the province won't be picking up the debt, won't be guaranteeing the debt in the same way the province of Ontario seems to be saddled with the debt of such things as SkyDome and other such matters as Teranet? I will say it was strange that's how it was left. That question remains unanswered and will remain unanswered until we see exactly what happens for the future.

So here we are with a time allocation motion that is essentially going to shut down the debate on gambling casinos, not only in the committee but with respect to third reading. The whole topic of gambling casinos, gambling in the province of Ontario—how ironic that a government run by the New Democratic Party is putting forth this legislation.

I'm reading, as many of us are, a little book that's been put out recently. I can't remember who wrote it. It's called *Giving Away A Miracle*, which talks about the history of the New Democratic Party—

Mr Bradley: Giving it away as a Christmas present.

Mr Tilson: Yes—with respect to the history going back to the CCF: Mr Woodsworth, Mr Douglas and the very moralistic aspects, whether it's the CCF or the NDP. They described the history of their party right up until the present time and how it's evolved. I will say it is a strange situation, a very ironic situation, that a party that has stood up in the past for such moralistic principles—and many, whether you're a member of the New Democratic Party or whether you're a member of any other philosophical party within this province, in many ways admired that philosophy. But that philosophy seems to be abandoned. It will be interesting to see how many people on the government side are in the room when they vote for this resolution and any other resolution involving gambling casinos, because you're going to have a lot to answer for to your constituents, whether it be on this subject or on the subject of Sunday shopping.

I can't let this time go by but to refer very briefly to the Reverend Drainville, the member who resigned from Victoria-Haliburton to run in the federal election and who was a former member of the New Democratic government and sat as an independent in this House. One of the main reasons why he did resign from the government was—

Mr Mills: I think he was a member of all three parties.

Mr Tilson: You know, you can be critical of Mr Drainville, but you have to admire what he stood for. He

did stand for the principles of the New Democratic Party. He was one of the few who did and he made it quite firm in his speeches in this place. I can well imagine the speeches he made in caucus and I can well imagine the attempts he made to persuade members of the government to reverse this position. I obviously don't always agree with Mr Drainville on some of his other philosophical statements, but I will admire his fortitude in standing up for what he thought was right as opposed to hiding on voting and as opposed to simply voting with the gang.

He did stand up for his rights and he sent scads of pieces of literature around to all of us, whether members of the government, Liberal or Conservative parties. One of the pieces of literature he passed around, which I believe the member for St Catharines referred to in his presentation, was remarks from a public broadcast interview with Donald Trump.

Mr Trump, in his usual candid way, made a couple of statements. This was broadcast on the program *Venture*, April 4, 1993, and I'm simply referring to what appears to be a transcript that Mr Drainville has prepared and sent to all of us.

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I'm going to quote from some of the things that Mr Trump, who knows the gambling business, said, because Mr Drainville sent that to us so that we can perhaps better understand from someone inside the system as to where you're going with this legislation.

Mr Trump said: "Gaming doesn't come cheap, and I have to agree with a lot of the critics on that. It brings crime"—as the former Attorney General, Mr Hampton, said, who did a very extensive report, which I filed in this House some time ago after the bill was presented. "It brings prostitution. It brings a lot of things that maybe areas didn't have before. It brings money, but also the money is dissipated because maybe you're going to have to pay your school teachers more because otherwise you're going to lose your school teachers. They're going to be working in the casinos as croupiers." I'm probably pronouncing that word wrong, but not being in the gambling business, I don't know what the heck that is. "There's a big cost to pay."

"I mean, most jurisdictions have considered gaming and most jurisdictions, even though right now it seems to be the craze, but most jurisdictions have rejected it. And the ones that have accepted it, many of them if you gave them their choice again, they would have turned it down." This is from Donald Trump, whom we all think of as a gambling czar in the United States.

Robert Scully, the person who was interviewing him, then said, "That's odd coming from someone who owns three casinos."

Mr Trump then said: "No, no. I'm telling you the facts. The facts are that it's just been a very negative experiment for a lot of cities and a lot of areas. And again most people—well, they've been looking at gambling in Florida for years and Florida has correctly turned it down. Florida's a booming economy. It's doing great and they've decided not to rely on the casinos."

"New Orleans is going to do a casino. It's going to

totally change the whole incredible city. It's going to change it. It's going to be a different city."

Mr Scully then said, "Is it going to be worse?" and Mr Trump said, "Well, it's going to be a city much," and he started to say "worse," but he said, "much different and perhaps worse. You can't say worse, but perhaps it will be worse. I mean, the French Quarter, these areas in New Orleans, these are classic great areas. This is not a city that's got problems from the traditional standpoint. It's going to be a very different place. So, you really have to be careful with a gaming experiment and we'll see what happens."

Then he went on and I won't quote from it any further, but I will say that this is the last chance. This is the last chance for the party of the philosophy of the CCF, the philosophy of Tommy Douglas, which is now, can you believe it, into gambling? The province of Ontario is into gambling to pay off its deficit. I'll tell you it is a gamble. It's a major gamble when you look at what's going on all around us, when you look at the gambling casinos all around us. That may be morally bad or it may be morally good. I don't really want to talk about morals. I will say that business sense—it's as if the casino in Windsor is going to be the only casino in this place, and of course we're predicting more.

But do you really think that people are going to flock to Windsor to gamble? Do you really think this is going to improve the economy of Windsor? There was the Ontario Agriculture and Horse Racing Coalition, and everybody's had scads of literature on this whole topic because I don't know who wants it. The Windsor city council perceives it's going to make lots of money.

This letter that came from Dr Glen Brown, who is the chair of the Ontario Agriculture and Horse Racing Coalition, went to many of you, I believe. He said: "Who wants the casinos? Not the people." Then he referred to the Rural Ontario Municipal Association, which at its last convention voted unanimously against casinos. We've heard countless petitions from all sides, from the Liberals, the Conservatives and even the NDP. It'll be interesting to see who in the New Democratic Party who has been reading petitions is going to vote aye or nay with respect to this resolution and with respect to any other resolution involving gambling casinos, because they stand up in their place and they say they're opposed to gambling. Are they going to be in the House to vote? Well, time remains.

Dr Brown says that in the United States, casino introduction requires a referendum. There hasn't been one passed in a number of years. We've asked, "Why don't you have a referendum?" Why don't you have a referendum on this subject? Do the people really want it? When you can have an intelligent debate in this place, not only in this place but in the areas where they're going to have it; when you hear the stories that have occurred, whether it be in Atlantic City, Las Vegas, all places across this North American continent where casinos seem to be—the wealthy corporations seem to be reaping in all kinds of funds.

The Acting Speaker (Ms Margaret H. Harrington): Order. There seem to be conversations going on. I would

appreciate if I could hear the member. The member for Dufferin-Peel, proceed.

Mr Tilson: Dr Brown continues: "Detroit has seen them rejected by the voters on at least three occasions. The city of Windsor," referring specifically to the council, with all due respect to the city council of the city of Windsor, "feels they'll create more business. It does seem odd," Dr Brown says, "that the losses Windsor suffered due to cross-border shopping prompted the location of the first casino in that city."

The current Minister of Education, whatever he's called, it is said, was mainly instrumental in bringing gambling to this province. He's the source, he's the so-called power of the New Democratic Party that has brought gambling to hopefully improve the economy of Windsor. Dr Brown says: "Do they really expect Americans will now shop in Windsor? We still have the same higher prices burdened by a 15% sales tax." And yes, there's GST. Yes, the Conservative government in Ottawa has its GST; they brought that in. And yes, you people have brought in terrible, terrible taxes to this province.

Why would people shop in Windsor? Why would the Americans come over to Windsor to shop here? You can get goods a heck of a lot cheaper in the United States now, and you know it. They're not going to come to Windsor to shop. They're going to come for crime and prostitution and gambling. That's why they're going to come here.

Mr Anthony Perruzza (Downsview): That's so cheap.

Mr Tilson: I'm sorry, it's not cheap and you know it.

The Acting Speaker: Order, please. The member has the floor.

Mr Tilson: Dr Brown continues, "The average length of stay for an Atlantic City visitor is six hours, with virtually the entire time spent in the casino." There are statistics that have come forward as to what's going on in Atlantic City, where buses come in from all over the land to gamble. They don't shop there. They get out of the bus, they go into the casino, they gamble, and they get back on the bus and they leave. They don't shop in Atlantic City.

Mr Perruzza: On a point of order, Madam Speaker: The implication here is that every single American who goes to Windsor is there to perpetrate crime. That is so untrue; that is so low.

The Acting Speaker: That is the member's opinion.

Mr Perruzza: I realize they can't vote in this country, but that's totally inappropriate, especially coming from—

The Acting Speaker: Would the member for Downsview take his seat.

Interjections.

The Acting Speaker: Order. That is not a point of order. The member is willing to listen to the member for Dufferin-Peel.

Mr Tilson: The final sentence that Dr Brown said in his letter, which obviously many of the members who are heckling from across the government side—"Windsor will be no different and shopping will continue to be done on

the other side of the Detroit River.”

We all know that's exactly what's going to happen. They're not going to come to Windsor to shop. They're going to come to Windsor to gamble. That's assuming there isn't going to be a gambling casino in Detroit. The whole thing's going to be thrown up in the air, and that's the fear I have. Because the taxpayer of the province of Ontario is getting involved in this little experiment, this little test, as to whether or not gambling can work.

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That's where I am opposed to what you're doing. You're rolling the dice. You're gambling on whether or not gambling is going to be successful to earn revenue to pay off your deficit, and all of the other funny programs that you have in this province. You're trying it in Windsor, of all places, and I can tell you that people are not going to shop in Windsor, they're going to shop in Detroit, and my guess is that if they have a gambling casino in Detroit, they're going to gamble in Detroit as opposed to Windsor. Why? Because they'll do a better job than the province of Ontario will.

Those are the immediate concerns I have. I will say that participating in the debate during committee of the whole, and specifically on the amendment that was put forward by the member for Brampton North, all kinds of questions came to all of us that remain unanswered and will continue to remain unanswered.

It brought to mind an article by Mr Walkom in the Toronto Star where he asked a whole series of questions. This was an October 18 article in the Toronto Star. Mr Walkom always has an interesting way of saying things, but most of his article was spent asking questions with respect to the gambling casino experiment that's being tried by this province.

He referred to the concern of the member for Parry Sound, who talked about really the changing of the zoning and the expropriation laws of this province simply so that they could ram this thing through by December 6 to avoid litigation. That's why we're doing this now. That's the real reason why Bill 8 is being rammed through now, so that the people who want to oppose those applications won't have that right.

Everywhere else in the province of Ontario, they'll have the right, but they won't have the right there. It will simply do away with any potential legal action—and I don't know what the status of that is—simply to give Windsor the right to expropriate land for gambling, and that will head off any court challenge. That was one of the questions that Mr Walkom asked.

Then the last part of his column was just a series of questions, and those questions will remain unanswered because of this whole process. They were questions that I believe could have been put forward in committee of the whole. Normally that is what committee of the whole is for, so that we can put forward amendments to bills and we can have the opportunity to ask questions of the parliamentary assistant or the minister, if the minister ever chooses to come to this place. Those questions could be put forward and answers could be given. We won't have an opportunity to ask the questions, and certainly

the questions will remain unanswered, probably for ever.

One of the other questions—it's in your clippings and I'm sure you can find it, but I'd recommend that you look at this article before you vote because quite clearly the article does express a lot of concerns of the opposition. He refers to the secret minutes of the casino project that were leaked to the press to describe Caesar's, one of the applicants, having lots of mob involvement in the 1960s and being cleaned up in the 1970s. There's all kinds of things about that.

Then it talked about a couple of other questions.

Mr McClelland: On a point of order, Madam Speaker: Is there a quorum?

The Acting Speaker: Could the clerk please determine if a quorum is present.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: The member for Dufferin-Peel.

Mr Tilson: I would like to put on the record at least the questions that were asked and that will never get answers in this place. The bill will be passed and these very good questions will never, never be answered.

Firstly, he did talk about the legislation that is of course going to do away with people who may contest the expropriation proceedings or the zoning proceedings with respect to Windsor, but then he started talking about another question: “Why is the government trying to replicate Atlantic City and Las Vegas in Windsor? Why doesn't it take the lead from Winnipeg's successful casino and run the operation itself?”

I shudder quite frankly at the province of Ontario running a gambling casino when I really believe that most of you over there don't even believe in this stuff, but the hard core, whoever runs the place, has decided that we're going to have gambling casinos in this province to try to raise money for your programs.

There are questions that should be answered and haven't been answered. There have been no feasibility studies. I went to one of the days of hearings. I sat in on one day of the hearings and the consultant that the government had hired to come and justify what the government has been doing—which is the most crazy thing I've ever seen in this place, where you start on an adventure down the road to have interim gambling casinos and permanent gambling casinos and then you have a consultant come and justify what you're doing. That's what happened.

Next question: “Why doesn't the minister responsible for casinos seem to know what is going on?” I will say that when I was the critic for Consumer and Commercial Relations, the member for Brampton North and the member for Parry Sound, in their current capacities as critics in the two opposition parties for the Ministry of Consumer and Commercial Relations—with all due respect to the Minister of Consumer and Commercial Relations, she doesn't seem to have the foggiest idea as

to what's going on. Whenever questions are asked, the answers just don't seem to be there. She doesn't seem to be able to explain why the government is going on this route.

I can honestly say, I look at the Minister of Consumer and Commercial Relations and I can't believe, having observed her on council, a person who has in the past voted against casinos—and we must never forget that. The Minister of Consumer and Commercial Relations in her life as a municipal politician voted against this whole system.

That's okay because that's a philosophy of the New Democratic Party. Someone's told her to go the other way. Someone's told her to flip the coin and do something else. So she's never been able to answer adequately questions that have been put forward by any of the critics at any time involving gambling casinos.

"What's the hurry?" That's the big question. What is the hurry? If you're going to do something as major as this, that is going to have an effect—I mean, the New Democratic Party, when lotteries were brought in, was very concerned about compulsive gambling. There were tirades that went on all over the place.

It may not have been too many of the people from the current group that's before us now, but we can remember what they were saying. Philosophically, they were against lotteries and they were worried about compulsive gambling.

I haven't heard a peep from this current minister as to what she intends to do with respect to the subject of compulsive gambling, because it's going to increase. As the member for St Catharines quite rightly said, it's the compulsive gambler who's going to get into this sort of thing, or it's going to be the person who simply can't afford it, the worker, the so-called worker whom you people used to represent. Remember them?

What is the hurry? Why are we ramming this through? Why are we having an interim gambling casino? Why are we having that? Why can't we do it right? Why can't we have a feasibility study that properly explains where we're going in this direction?

Why can't we justifiably speak to the police of this province and be worried about crime and prostitution and the effect it's going to have on the moral fabric of our province, aside from whether or not we've got the financial resources to deal with the guaranteed crime, corruption and prostitution that's going to come to this province because of this process?

Why do I say that? Well, it happens in every other jurisdiction that's got into gambling casinos, every other jurisdiction. It's been documented, yet that question remains unanswered.

Mr Walkom continues:

"Why does there have to be an interim casino? Why does it have to be put in an art gallery which will have to be refurbished at great public expense? Why is Windsor so anxious to expropriate land for its permanent casino now, before the act legalizing casinos has even been passed?"

Well, it's going to be passed first, we know that.

That's why we're here now. That's why we're ramming it through. That's why we're not allowing any more debate on this topic. Every day we seem to have time allocation. What kind of a government are you running over there?

This is Mr Walkom's column that I have been referring to: "The government expects a big economic boost from casinos. Is this realistic?" Is it realistic? Is it realistic that this much revenue is going to come to the coffers of the province of Ontario?

1700

There may be stats as to what casinos make in other jurisdictions, but there don't seem to be a great deal of stats as to how they're going to deal with the problems of compulsive gambling, with police, with the effect that it's going to have on the horse racing industry, the effect that it's going to have on agriculture, the effect that it's going to have on all aspects of our society, the effect that it's going to have on charities, as to whether or not charities are going to be able to raise funds in the present the way they have in the past.

Those are all questions that really haven't been answered. They should have been asked and answered in committee of the whole. That would have been the opportune time to ask those questions of the parliamentary assistant, but we're precluded from doing that in this time allocation motion.

"Why haven't casinos given such a boost to American states? Why is Atlantic City still a 'hovel'?" In the second reading of this bill, I referred to an article from the Toronto Star that talked about that, that whole topic of Atlantic City and what gambling has done to Atlantic City. It's tragic. It really is tragic what has happened to that city. I'm not going to read the article again. You can all look at your Hansards and you can all read the article. It was an article from the Toronto Star, May 9, 1992, that I referred to in the past.

I will say that the experiment that happened in Atlantic City, supposedly to improve the economy of Atlantic City, supposedly to increase salaries of individuals working in that area, to make their lives better, to improve the buildings, the streets, just hasn't happened. I'm not going to repeat what I said before, but it's tragic what's happened in many of these communities.

Mr Walkom continues, in his final two paragraphs:

"If, as is almost certain, Detroit sets up a competing casino, will the Ontario government really reap the tax revenues that were the original justification for this gambling adventure?"

"Was any of this ever really thought out?"

That says it all in a nutshell: Was any of this ever really thought out? I know what's happened over there. The Treasurer looked at the gambling casinos. I mean, Mr Trump is right, there's a craze going on now. We've got riverboat gambling and we've got casinos popping up all over the place in jurisdictions in the United States, Montreal, Winnipeg, some of the provinces in the west. It looks as if it's the thing to do. Notwithstanding the philosophy of the New Democratic Party, it looks as if it's a way to get money, to get money at all costs. To

heck with your principles, you're going to get in on gambling, the whole concept of getting something for nothing.

I respected part of their philosophy. Most of the philosophy of the New Democratic Party I have not respected, but that's one area of your philosophy that I have respected in the past, the aversion to setting something up to get something for nothing. Now you appear to be worse than anyone with respect to doing that.

We've had petitions from various churches that have come forward and been read in this House. It appears that they've had no effect on the government.

There have been petitions from other organizations, from charities and individuals who have organized petitions. They have been read in this place. Thousands of signatures have been signed opposing this philosophy.

I received some communication from the United Church of Canada expressing some of its thoughts. I could pick up, I suppose, literature from any of the other churches around this province. They're all opposed to it. They're all opposed to it for, obviously, moralistic reasons, because they're afraid of the principle of letting people think you're going to get something for nothing. They're afraid of the social problems that are going to be created.

These are tough times. People are losing their jobs. People are losing their families. There may be one way out for some of them, and that's to go and gamble, to gamble their last dollar.

The United Church of Canada sent quite a package to me and, I'm certain, quite a package to many of you. There may have been other churches that have done the same. In the package they did send to me, they refer to an article that came from the *Globe and Mail*. It was an editorial, I guess, that came from the *Toronto Globe and Mail* of March 13 of this year.

They talked about a book that has been written. I haven't read it; I've perused it but I haven't read it. It's called *Temples of Chance: How America Inc Bought Out Murder Inc to Win Control of the Casino Business*. This was partially a book review and partially editorial comment. I'd like to refer to that, because it does express some of the concerns of the United Church of Canada specifically and other churches around this great province.

"When casinos arrived in Atlantic City in 1978, they were supposed to revitalize a community that symbolized urban decay. Not so." As I referred to in my speech on the second reading, it hasn't happened. It hasn't turned out that way at all. It's been a tragedy. They've gone from bad to worse in Atlantic City. Why? Because of the greed of the gambling casino.

"More than a decade later, Atlantic City still has the highest jobless rate in New Jersey. Crime remains epidemic. And more of its residents live in public housing than in any other US city.

"The real beneficiaries were the huge corporations that control the multibillion-dollar casino business in the United States," which are now going to be guaranteed by the province of Ontario, because Mr McClelland's

amendment will not be carried or will not even be considered. Can you imagine?

This book was written by David Johnston, and the editorial goes on by referring to David Johnston's book: "As Mr Johnston persuasively demonstrates, casinos are not an antidote to a rusting economy. They create no new wealth and, instead of high-paying manufacturing jobs, they generate low-paying ones." That is the real issue. When you start looking at the economy of Windsor or Niagara Falls or any other place, the whole fact of the matter is that people are now going to be getting jobs that aren't as well-paying as they are now. So whether you're talking housing or whether you're talking jobs, the whole conduct of the economy, the whole fabric of the society, is going down in Atlantic City.

I'm going to finish very soon, because there are a few other members who wish to address the House on this topic. I would like to say a few more words with respect to the editorial from the *Globe and Mail* on Atlantic City.

"The casinos are to Atlantic City," and this is a quote from Mr Johnston's book, "as factories are to a Third World country, thrown up at a distant location, served by a highway designed primarily to obtain raw materials and ship out finished products."

"Turning auto workers into blackjack dealers is hardly a recipe for prosperity. 'As well-paying industrial jobs have begun to dry up in America, the children of blue collar workers...are finding gambling tables the 1990s equivalent of the assembly lines....[Casino jobs] mean less money, often less than half what their parents made with fewer benefits, little individual job security and no sense that their labour is building anything tangible or enduring.'" A very sad description as to where the province of Ontario is going in these communities that are going to have gambling casinos.

I'm going to conclude on the greatest fear I have: the fear of crime and all the matters that are related to crime that seem to develop out of gambling casinos. We are told, at least during the hearings and outside the hearings, specifically by such people as the Peel regional chief of police, Robert Lunney, that the police really weren't adequately consulted in this whole process. That's another question that remains unanswered.

1710

I will now sit down and give the floor to some other members of the House. With all these unanswered questions I will say that this bill, this whole process, is a tragic thing to the province of Ontario.

Mr Stockwell: I believe it to be somewhat of a dubious honour to be speaking to a motion of closure, considering the fact that we had a debate yesterday on closure and now we're entering into another debate on the same subject, dealing with a different piece of legislation.

To me, closure motions are placed in the House or in this Legislature at times when there appears to be some issue that is rather compelling or imperative to be passed by the government. There seems to be little defence a government can offer on a closure motion when it comes to legislation that is being debated in this House by those

members elected to represent those points of view that are different than the government's.

It's equally distressing for me and I believe others in this province that a government of this ilk, this political thinking, this background, this history, that has on many occasions—and I've actually rhymed them off, its positions and policy on closure in previous debates about a closure motion, that it held such strong and vibrant views opposed to any government that brought forward a closure or time allocation motion.

To allow some history into this subject, we can discuss at some length the rule changes that took place, brought forward by this government, supported by this government, by you, as Speaker, I know, and by other members in this government. Those new rule changes made it even more stringent and difficult for opposition members to put forward their positions on a number of issues, as wide-ranging and broad as they may be. When the new rules were brought forward by this government, they restricted the opportunities of those elected to represent viewpoints different than the government sitting at the time could do.

It's a sad day, I believe, in any democratic process when a time allocation or closure motion must be brought forward by the government. Of course there are days, and everyone will be fair, that maybe the opposition has prolonged the debate, unduly elongated it to the point where closure is necessary.

I think too that you must measure the type of debate you're having as to whether or not closure should be brought forward, and maybe you should also look at the mandate of the government on the piece of legislation that is before the House at that time and measure whether closure should be brought forward on those particular issues.

So, in my opening comments, I want to talk about the last two motions that were brought forward by this government on time allocation and the pieces of legislation that they are in fact—

Mr Drummond White (Durham Centre): What about your closing comments, Chris?

The Acting Speaker: Order, please. Would you address the Chair, please.

Mr Stockwell: It was an attempt at humour, Madam Speaker.

I also think it's important that we must examine the pieces of legislation that governments bring closure motions forward on.

I don't know if you could have a lot of debate with a government that campaigned on an issue and was duly elected to a legitimate majority and therefore it felt somehow restricted in passing legislation that it campaigned on. That may well be a reasonably good argument to introduce closure.

For instance, if we were debating government-run auto insurance today and it was a long debate and it was being prolonged by forces outside this House and opposition forces inside this House, you may have an argument from the government side to say, "We now must move closure because we want to pass this legislation and we were

mandated in the last general election in the province of Ontario to carry out these legislative initiatives," and there could be some debate.

We're not debating public auto insurance. We don't need to debate that, because they changed their minds. If we were debating some changes to policies that they brought in as opposition, when you think about government spending, deficit financing, any of the programs they're calling for, changes to WCB, any of those kinds of things that they spoke about on this side of the House and out in the broader public during the last campaign, I think there may be some rationale on the government side to say: "Gee, we need closure. We told people we were going to do this and we've got to do it."

But here's the rub, and the rub is this: Yesterday we talked about photo-radar, and this government brought forward closure on photo-radar. Never in the campaign of 1990 or previous to the introduction of the legislation did I hear this government ever talk about photo-radar. Never did I hear them talk about the institution of photo-radar. Never did I hear them say that photo-radar was a necessity that this province needed and that they campaigned on that during the 1990 election. Never.

So I'm a little cynical when it comes to moving closure on a money-grabbing motion like photo-radar. To add insult to injury, we now get closure on a very subject that was talked about in opposition by this government, was debated at length in opposition by this government, was campaigned on by this government during the 1990 general election and in fact rejected out of hand as being an unacceptable process, an unacceptable piece of legislation for the people of the province of Ontario.

So not only are we not debating an issue that they campaigned on that they felt closure would be needed for, not only are we talking about a closure motion on a subject that never came up, but we're talking about a subject that this government spoke about at length and dismissed, rejected, opposed at every turn that we now have to be so offended—

Mr White: You brought it in.

Mr Stockwell: Madam Speaker, I say to the member from Durham, the suggestion is that this government brought in some kind of lottery. If it were this government across the floor, at least our history, our campaigns, our promises would have at least allowed some degree of latitude on our government's part because we had endorsed it. But you, in opposition, sir, opposed lotteries because they were a tax on the poor.

Mr White: But now you're opposing the very things that you brought in. You brought them in.

Mr Stockwell: Madam Speaker, a tax on the poor. That's what they said.

The Acting Speaker: Order.

Mr Stockwell: So we in this House are left with the unenviable task of trying to debate a motion, a piece of legislation that you dismissed out of hand in the campaign and in opposition, and you now move closure on us who oppose it in some districts in this province. You won't even allow us the opportunity of debating the issue.

This is more than ironic. "Hypocritical" may be a somewhat harsh term, but considering the complete difference of view, the absolute and total change of this government's view on gambling, you'd hardly think that a government that had changed so dramatically in the course of three years on gambling and its effects on the poor and its effects on people who have the disease to gamble, its effects on all those Ontarians that they represented, you'd think they'd allow the opposition, those people out there, to have a fair and unfettered say about their opposition to your turnabout.

But here we are. Here we are today—

Mr White: It's your turnabout. How can you stand here and talk about "your turnabout"?

The Acting Speaker: The member for Durham East, come to order, please.

Mr Stockwell: I think that Mr Broadbent's brother didn't go far enough when discussing the issues of the federal election with this member. He should have gone even a little further.

We here on this side of the House are now in the very awkward situation of having to listen to heckling from a government member who campaigned in opposition to legalized gambling. Now we must sit here and he heckles us while we're debating a closure motion for the institution of legalized gambling, which he opposed a few short months ago.

Mr White: I never did oppose it, sirrah.

1720

Mr Stockwell: That's a revisionist I see.

Mr George Mammoliti (Yorkview): Who opposed it, Chris?

Mr Stockwell: As I hear the heckling, I will remark on the heckling.

There are some members across the floor who said they never opposed it. I can only say to those members, you were not listening very closely to the leadership of your party which you so gamely campaigned under in the last provincial election, the leadership of your party who on record opposed, let alone gambling—and they opposed that in written form—but opposed a simple lottery. Why? Because they said it was a tax on the poor.

The Acting Speaker: It would help if you would address your remarks through the Chair.

Mr Stockwell: I'm always addressing my remarks through you, Madam Speaker.

You said it was a tax on the poor. We have revisionist history now from the member for Durham West—not West. Durham—

Mr Tilson: Durham something.

Mr Stockwell: Durham Centre, the member from Drummond White. This is a revisionist. Now he becomes a revisionist suggesting this government did not in fact oppose legalized gambling. So we now in opposition are faced—

Mr Mammoliti: You're losing it, Chris. Go back to your notes. Tell him to go back to his notes, David.

Mr Stockwell: —as I said before I was so rudely

interrupted—with the unenviable task of hearing a closure motion come from a government that was opposed to this legislation all through their historical life until today, or until very recent history.

Mr Mammoliti: Always the same argument. Go on to another argument, Chris.

Mr Stockwell: Well, I can go on to another argument. The member suggests I should go on to another argument. I say to the member across the floor, and through you, Madam Speaker, it is a difficult situation to be in to debate the socialist government in Ontario. The hypocrisy is at heights of incredible levels.

Now with reversals in policies simply laughter comes forward. Laughter. When they reverse their decisions on gambling, on insurance, on all the issues that they dealt with, they snicker. I mean, I just can't believe it. They're reduced to snickering about the fact that they, their members, campaigned on a series of issues, and with the reversals on these issues they leave themselves snickering as if it's some kind of joke that you've let down any person who ever voted for your party in the history of your party.

I don't know how you can treat it so cavalierly. I don't know how you can stand before this Legislature and be so cavalier about the hypocrisy of it all. Then in the situation we're in, to move closure on a gambling bill that you're supporting and you're muzzling opposition over to the extent that one of your members left your party, resigned from the House because he was so disgusted with your government—they laugh; they think it's funny.

Mr Mammoliti: Who was laughing, Chris?

Mr Stockwell: Maybe not the member from Windsor, but certainly the member from Durham.

I just find it absolutely distasteful to sit here and see this as some kind of defence. It's a defence they offer us, a snicker. I ask you, Madam Speaker—and I have a great deal of respect for you, because I know you take many of these issues far more seriously and think they're far more important than some others.

But there are many people out there who come to my constituency office who are ex-card-carrying members of the socialist party, the NDP. This is how bad, this is how low a level you have reached. I would never have expected card-carrying members of the NDP to come to my constituency office and ask me to defend their rights against you. Against you. They're asking me to stand up and stop legalized gambling against you, the party that they supported and had membership in. They never thought in a million years you'd be bringing forward, let alone moving closure on, legalized gambling. That's how low it's gotten.

So I say to these people, I say in my personal opinion—I've not been on the record—I have very little difficulty with legalized gambling, very little. None. I don't know if it shocks you or not. I mean, I don't gamble—hardly ever. Never been to Las Vegas; never been to Atlantic City. I don't really find it that terrible a thing to do, to gamble. But the people who come to see me claim to have positions etched in stone by this

government that would never allow legalized gambling, and I'm now their last hope to defend the things you suggested you stood for.

Mr Mammoliti: That's not true, Chris.

Mr Stockwell: That is very true. And you want to know the sad realities of the situation: I don't think they even know it, this government, this crew. I don't even think they know how mistrusted, disliked—

Mr Mills: Don't be so disrespectful. We're not a crew.

Mr Stockwell: I'm sorry. If a "crew" is unparliamentary language—

Mr Mills: We're a government.

The Acting Speaker: Order.

Mr Stockwell: A crew—I don't suppose it because—
Interjections.

Mr Stockwell: I withdraw. A crew would be working together; I would never accuse them of working together, this crowd. The sad reality is, I don't think this crowd really understands the mistrust, dislike and concern out there in the public domain. I don't think they have any idea of the number of people in the province of Ontario whose sole purpose in political life now is to see you people removed from office.

Mr Mills: I can't stand it. I'm so popular in Durham East I can't stand it.

The Acting Speaker: The member for Durham East come to order, please.

Mr Stockwell: The member for Durham East is so popular he can't stand it in Durham East. Let's get that on the record as a matter of fact, because he's going to be really surprised how quickly—

The Acting Speaker: Will the member address the resolution before the House.

Mr Stockwell: He's going to be so surprised in 18 months how they've turned on him. He's going to be amazed how quickly they've turned on him. In 18 months, he's going to say, "They turned on me in no time."

The closure motions to the public out there, other than those directly impacted by the legislation before us—they don't really believe or they're not as concerned about closure motions or legislation before the House unless they're directly impacted by the legislation. What the people out there are saying—they're coming to me, phoning my office and clearly they phone—

Mr Mammoliti: You're always interrupting.

Mr Stockwell: You know what astounds me is they obviously don't understand that constituents phone your office. Now, look, I'm not surprised they don't phone your office. I'm really not surprised, because I know they've given up phoning a lot of their offices. Let me give you an example.

Mr Mammoliti: The member believes constituency offices should be shut down. He's got a lot of nerve. He's making me mad.

The Acting Speaker: The member for Yorkview, that is not appropriate in this House. The member has the

floor; he has the right to express his opinion.

Interjections.

The Acting Speaker: Will the members come to order.

Mr Mammoliti: He wants to close down his constituency office.

The Acting Speaker: Order. The member for Yorkview, come to order.

Mr Stockwell: I have obviously made one of the View Brothers mad and I certainly didn't mean to do that. I certainly didn't mean to do that. Speak of the devil.

I was speaking just a moment ago about how disenfranchised the electorate is out there and, of course, in a motion of closure, and it's very undemocratic, a lot of the people out there are very concerned about a lot of things this government's doing and probably closure motions are not at the top of their order.

What is on top of their order is a government that would discriminate the way they discriminated in a public ad that was discriminating against white, English-speaking males. I can't tell you the number of calls I had about that. I'm not kidding you. I got at least from my constituency office, Queen's Park, I'd say 100 phone calls on that one issue alone. Without a word of a lie, 100 phone calls on that one issue.

You know why? Because clearly if this government came in the next day and said they were withdrawing that ad, you know full well they had a significant number of calls to the Premier's office to make them make that kind of a decision and a reversal on such an important issue that they thought they had. But that's something that affects those people out there. That has made them really mad and they're mad because they think this government is discriminating against some of them.

1730

The Acting Speaker: Would the member make sure that he is addressing this resolution before the House.

Mr Stockwell: As I said, Madam Speaker, and I was referring this back to the closure motion, these are the kinds of issues that make people mad. The defence you get from them on reversals on public policy, the defence they have is a simple, "That was then and this is now," or a snicker or laughing. I just find it rather astounding.

Mr White: We're not laughing, Chris.

Mr Stockwell: The member from Durham's back. I thought I heard him; there he is, way in the back.

Now we have to debate closure on gambling. I guess I don't know who was opposed to gambling, because all those members across there right now seem to be fully in favour of gambling. I don't know when the conversion took place. I'd look to the cabinet. I can't believe the Minister of Housing was in favour of gambling casinos. I don't get any expression of acknowledgement, but I assume you were opposed to gambling casinos when you were in opposition, because it would seem to me to be a policy of your government and that you must have endorsed that policy. But you can't get them to say a word about it.

You look at the other two cabinet ministers. The Minister of Agriculture, I assume you were opposed to gambling as a card-carrying member of the NDP. I assume the Attorney General was opposed to gambling in your other life as—I don't know the title; I'm sorry, I'm at a loss for the title—a representative of a women's shelter. I assume that you were opposed to gambling when you were in that life. I can only make these assumptions. I know your Premier was opposed to gambling because he was on the record in the House here. I know the Treasurer was opposed to gambling; he was on the record in this House. I look around and I see the member for Peterborough. I can only assume you were opposed to gambling as a card-carrying member of the NDP.

Ms Jenny Carter (Peterborough): I still am.

Mr Stockwell: You still are. Well, there's someone who is. I know the member for Victoria-Haliburton was opposed to gambling. He left the party.

Hon Elmer Buchanan (Minister of Agriculture and Food): Where is he now? Where did it get him?

Mr Stockwell: It got him in the same place that these people are going—unemployed.

I ask, when did this conversion take place and why are you moving closure? Why are you trying to shut down the opposition to a public policy that apparently most of you don't agree with? Apparently, in your other lives, in your previous lives in opposition, as opposition members or—

Mr Mills: I bet two bucks on a horse. What's wrong with that?

The Acting Speaker: Order.

Mr Stockwell: I don't know about the member for Durham East, who says he is so popular in Durham East he can't stand it. I don't know whether he was opposed to gambling or not. Maybe he wasn't, maybe he was. Who knows with the NDP today. You don't know where they stand on anything, because if five years ago you had told anybody that we could be debating a closure motion on legalizing gambling supported by a socialist government, they would have said, "You've lost your mind." But here we are today debating a closure motion on a piece of legislation brought forward from a socialist government to legalize gambling when in opposition it said lotteries were a tax on the poor.

The ever-consistent member for Durham Centre, Drummond White, or the member from Drummond White, Durham Centre, has once again come forward and said lotteries were a tax on the poor but he's in favour of legalized gambling.

A very good article appeared in the Toronto Star, June 28, 1992, on gambling, and I quote, "We have to take into account the \$2.2-billion dollar horse racing industry and it's 50,000 jobs to be killed off by casinos." This is an issue that should be dealt with by this government. You know why? Because in gambling, as in their deficit financing, as in their off-book accounting, as in their debt financing, they do things without any thought to the ramifications on the private sector or the people who pay the taxes. It's very clear.

They've increased taxes by \$3 billion and they're shocked to find tax revenue is down. They don't understand that when you increase taxes, more people lose their jobs, more economy goes underground, so you deflate the amount of money you're going to get in taxes, which has exactly happened, and they can't understand why their deficit's growing.

So they've done this legalized gambling without any thought to the horse racing industry.

Interjection.

Mr Stockwell: So the member across the floor says, "This is why we have closure." You see, this is really beginning to bug me. This is bugging me. This is a democratic process, and the arrogance of the government members is astounding. Only because the government members are hearing from people who don't agree with their myopic viewpoint, their hypocritical pieces of legislation they bring forward—they're embarrassed in public because they've flip-flopped on every major issue that's come down the pike. They can't do a budget without it being reviewed by the auditor, they're putting ads in the paper saying no white males need apply, they've got all this going on and they've got the arrogance to suggest, "This is why we moved closure, because we're tired of listening to people who disagree with us."

The fact of the matter is, 91% of the people in this province disagree with you, so you would be tired of listening to practically everybody. You're tired because practically the entire province disagrees with you on just about everything you do. So the arrogance of it all, saying, "This is why we moved closure, because we're tired of listening to people who have a viewpoint that happens to be different than our own."

We get very little time to debate during the closure motions. The least they can do is listen, because they've closed off opposition to the hypocritical piece of legislation they're bringing in that absolutely changes in history what their position was in previous years.

Mr Perruzza: Say something that's useful and we'll listen. Mr Speaker, it's all this political pap. It makes no sense and it wastes time.

Mr Stockwell: I make no sense? The member for Downsview has the absolute gall to suggest that an opposition member makes no sense? You have a government here that campaigned on a series of promises from Agenda for People and you have got the nerve to say somebody doesn't make sense? Clearly, he's never looked in the mirror. The man is a hypocrite on stilts when it comes to issues that affect this Legislature.

The Acting Speaker (Mr Noble Villeneuve): Order. Please. We cannot and will not tolerate accusing another member of being a hypocrite. Please reconsider those statements, the member for Etobicoke West.

Mr Stockwell: Mr Speaker, I will reconsider those words.

Mr White: And withdraw them.

Mr Stockwell: You know, it does frustrate me when I hear something like that from the member for Durham Centre.

Mr Mammoliti: On a point of order, Mr Speaker: It's my understanding that he has to withdraw that remark. I think there are some precedents in this place to back up my argument.

The Acting Speaker: The member for Etobicoke West.

Mr Stockwell: Thank you, Mr Speaker. I will continue reading this.

"The lost sales tax revenues, should people spend more of their money on gambling and less on other goods and services." This is the impact of legalized gambling. This is the impact of closure by this government, this socialist government, on legalized gambling, closing off the opposition's viewpoint to legalized gambling.

"The potential losses through corruption and fraud due to inexpensive or insufficient regulatory personnel within the casinos themselves." Have you ever thought about how much money that could be?

"The escalating law enforcement costs which could accompany such facilities." They've admitted there's escalation in costs, except we just don't know how much it is.

"Considering these factors, it's far from clear what the balance sheet will look like in the end." If there's anybody who could lose money running a gambling casino, it's an NDP government. Take my word for it.

We know the Ontario government is cash-strapped, and we learned how cash-strapped it is on the last closure motion, by introducing photo-radar.

The introduction of photo-radar was clearly a move to generate revenue for the coffers. Yesterday, when they introduced the closure motion on photo-radar, was nothing more than a move to prop up the coffers for the Ontario government because they're running out of money and this Treasurer can never have enough of it.

"Instead, it's pinning its hopes on a roll of the dice. It's prepared to transform the face of gambling in this province in the full knowledge that even if it does win the jackpot, the gains will be minimal." So we have closure once more on casino gambling.

1740

I have a couple of other articles I want to read from. Thomas Walkom was absolutely your biggest fan when you were in opposition, another one who's obviously gone wayward with your reversal in policies and public policies, particularly gambling being one of them.

Mr McClelland: Used-to-be fan.

Mr Stockwell: Used-to-be fan. He was literally your biggest fan. He couldn't write anything but good things about you when you were in opposition, and now you're in government I rarely find—

Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues): He's just an opposition man.

Mr Stockwell: He's just an opposition man. Well, I don't know. I've seen opposition governments move into power and maintain their principles and their beliefs. You're not one of them, but I've certainly seen governments move into power.

Mr Randy R. Hope (Chatham-Kent): Give us an example.

Mr Stockwell: All kinds.

Hon Mr Buchanan: Free trade, GST.

Mr Stockwell: I'll tell you something, there's an NDP government in Saskatchewan, as I recall, that got elected, Roy Romanow's government, and he isn't nearly as unpopular as you people are. He seems to have maintained a few of his principles.

Mr Mahoney: Clyde Wells.

Mr Stockwell: Clyde Wells, yes. He moved from opposition into power. He's maintained his principles.

Interjections.

The Acting Speaker: Order, please.

Mr Perruzza: Is that what it means to you?

The Acting Speaker: Order. The member for Downsview is not in his seat. He's interjecting. He's out of order. Please, the member for Etobicoke West has the floor very legitimately, and I would suggest to the member for Etobicoke West to address the Chair.

Hon Gilles Pouliot (Minister of Transportation): I'll buy a used car from you, you're so principled.

Mr Stockwell: Look, I haven't got the stomach to listen to the Minister of Transportation as he caterwauls about anything after the song and dance he gave this House yesterday and his implementation of photo-radar on the premise that it's going to save lives. What a load of bunk that is.

If you are going to save lives with the revenue from photo-radar, put it into road work that will improve the roads that will save lives, put it into police so they can stop drunk drivers on the road and save lives. Don't take the revenue from photo-radar to general revenue and spend it on anything that you see fit and then tell me you're interested in saving lives. That is the biggest scam this government's brought down in this period of time, talking about saving lives as it skims \$200 million out of taxpayers' money and not dime one goes to improve a road and not dime one to a single police department in this province.

When he gets into this saving-lives routine and this song-and-dance sop, it absolutely makes me sick. I don't want to hear the Minister of Transportation giving me any lectures about any revenue generator when you can't put a single nickel back to truly prove that you're interested in saving lives. You're interested in the same thing your Treasurer is interested in, and that's getting money.

Hon Mrs Boyd: On a point of order, Mr Speaker: I wish you would call the member to order and ask him to speak to the motion that's at hand.

The Acting Speaker: Yes. The honourable member for Etobicoke West, the motion at hand, please.

Mr Stockwell: The closure motions are coming so fast and furious it's difficult sometimes to remember which one you're dealing with with this government. We're now into a two-day debate on two separate closure motions. The closure motion at hand, we're going to need a schedule to determine which closure motion we're on

because this government has a plan to move so many.

Anyway, I said my piece on the Minister of Transportation. I want to hear no more from that minister. Until he starts earmarking some of that money for road improvements and police, don't give me this sop about saving lives. It's just talk, and you want the \$200 million.

Mr White: On a point of order, Mr Speaker: Under 23(c), this is an issue which has already been decided. It is therefore out of order for it to be under discussion.

The Acting Speaker: It's not a point of order.

Mr Stockwell: I wouldn't want anyone to debate it either if my record was as bad as yours when it comes to spending money on road improvements and policing.

Mr Perruzza: Mr Speaker, on a point of order: I look for direction from you and from the Chair of this place. When the loss of lives, the death of an individual, is referred to by one of the Conservative members in this Legislature as being sop, I look to you for direction in this matter, Mr Speaker, and I look for your good judgement to intervene. Is it appropriate for a member of this House to refer to the loss of a life on one of our highways as being sop?

The Acting Speaker: That is not a point of order. The member for Etobicoke West, please address the Chair.

Mr Stockwell: Absolutely not a point of order. He clearly wasn't listening. I wasn't talking about the loss of life; I was talking about the arguments put forward by your Minister of Transportation with respect to him suggesting photo-radar was instituted because he wants to save lives on the highway. But he's going to collect \$200 million, put it all into general revenue, not fix one road, not hire one cop and not arrest one person for drunk driving. That's what I was speaking to.

Hon Mrs Boyd: On a point of order, Mr Speaker: I would ask that you call the member to order and ask him to refrain from dealing with issues that have already been dealt with by the House.

The Acting Speaker: Thank you. I am doing my level best to get order in this chamber. Please, the member for Etobicoke West, refer to the motion at hand.

Mr Stockwell: I ask the Attorney General why she didn't stand on a point of order when the member for Yorkview stood up on a completely different subject than was being debated at this time. It seems to me that you choose to stand on your points of order depending on who's making the point.

Look, if they want to move closure on photo-radar and sell it as a program to save lives when it's a program to generate revenue, they can. But nobody's believing it. If they want to stand on this—

Mr Mammoliti: On a point of order, Mr Speaker: He mentioned my riding, he mentioned me. I don't recall standing up and—

The Acting Speaker: Thank you. The member for Etobicoke West.

Mr Stockwell: Mr Speaker, my apologies. I confused the member for Yorkview with the member for Downsview.

Now we are faced with a government in dire need for money, so completely broke they'd sell every fundamental principle they've ever held and legalize gambling in Windsor, along with photo-radar to generate a few hundred million dollars. You have absolutely corrupted yourselves because you've given up every principle that you ever held dear for a few hundred million tax dollars.

Not only is it insulting that we have to listen to the socialists now defend legalized gambling, after calling lotteries a tax on the poor, we have to put up with them moving closure, shutting down opposition members and those opposed to legalized gambling, when all they want to simply do is state the point of view that they once held so dearly close to their socialist hearts in the once bastion of the province of Ontario.

Yes, it's very frustrating. Yes, it's very difficult when this is the kind of government you're faced with, this kind of reversal on public policy, and the height of arrogance is the complete reversal of public policy and then a closure on the opposition because you're tired of hearing about your checkered past and your role reversals on public policy.

Yes, I'm frustrated; yes, 88% of the population of this province is frustrated. I'm certain my caucus is frustrated, as well as the Liberal caucus. The time has come to tell this government on closure motions, on changes to the rules, on government-run auto insurance, on all these plans they reversed on, on every closure motion they've brought forward, the hypocrisy absolutely reeks in here. I'm tired of listening to it. I don't want any points of order left. I've had it. I've said my piece.

Finally, the one thing I hear from constituents in my neck of the woods and in this province is that they would want my job for one day so they could stand here and do what I do, and that's tell them how sick and tired they are of this government.

Mr Mahoney: This will be a calm, reasonable approach, following the speaker—I have a question, though, for the clerk, if I could ask, Mr Speaker, through you to the table. Have we received tomorrow's closure motion? That has to be in before 5 o'clock. Has that been submitted? I'm assuming we're getting one. We've had two in a row here.

I'm assuming the current House leader has decided that he has no ability with which to run this House and therefore the only way the NDP is going to do business is through closure motions du jour. I am just wondering if perhaps—I don't know, maybe Bill 80 will be next. Maybe they've got the closure motion on Bill 80. I see the staff running out there to go it. Run a couple of copies, because I'd like a chance to read it.

This is what we're down to. This is the way we do business in Ontario.

1750

Mr Hope: Maybe the Environmental Bill of Rights.

Mr Mahoney: Well, it's true. It's really quite amazing. I've heard the speeches about principles. I understood long ago that this government and Bob Rae say: "I've got principles. If you don't like them, I've got others." I understand that. I understand that the principles

are out the door, so now what we're dealing with is the redefinition of the New Democratic Party, and probably more than ever the term "new," I say to the Minister of Transportation, applies. I would say the word "new" applies in this case because you have redefined democracy. There can be no question about that.

What happened when you became the government? Let's go back to when we were the government and you were here in opposition. I remember the pin-up boy, Mr Kormos, who had the audacity to appear in a newspaper as the Sunshine Boy and was summarily dumped. I understand the Premier didn't like being embarrassed. Maybe Bob wanted to be in the picture but they turned him down. I don't know what the problem was.

Interjections.

Mr Mahoney: So Randy would like to be there? Well, whatever the reason, that was a new form of democracy: "We don't like what Mr Kormos is saying"—the only true, old New Democrat, I might add, in this place. The rest of you, I don't know what you are. You're a cross between Chris Stockwell and Preston Manning. I don't know where to put you guys. I can't figure it out. Every day you come up with a new surprise.

The people in Ontario should understand that what we're debating today has been referred to as a closure motion. In reality it's called "time allocation," and what it says is you will have this long to object to the bill, it will then go to committee, the committee will have its rules laid down and it must deal with it within a specific period of time regardless of how many people in the province object to it, regardless of the fact that Bill 8, probably more than any bill in this Parliament, changes Ontario and sends us down another road, a road we've never been on, not a highway but a road toward legalized gambling as a standard, as a way of life, as a—

Hon Mr Pouliot: You of all people.

Mr Mahoney: Not me of all people. I brought Bill 92, you might recall, to at least get you to stop allowing kids to gamble on professional sports—

Hon Mr Pouliot: And what did we say?

Mr Mahoney: —and you supported it. You supported it and I congratulated you at the time.

I saw the people lining up in the lottery office the other day to collect the \$13 million out that day. I'm telling you I saw them on television, and three quarters of them were kids. Why the hell aren't you supporting it? Why aren't you going out there? Because they're still doing it. The law that you supported, my private member's bill, you have got to get your inspectors to enforce that bill to stop our young people from getting into a style of life of betting on professional sports.

My point, however, with regard to Bill 8: This is a major change for our society. I would just be delighted to hear the debate from the members opposite, were they sitting here. I could just hear the outrage and the shock at the thought of David Peterson or Bill Davis or anybody else instituting, horror of horrors, a gambling casino.

Could you imagine? There would be people lining up, we would have the poor camping in tents out front, we

would have every single mother with her welfare cheque waving it and saying, "You're going to destroy my kids." You would be so sanctimonious that the whole province all together at once would throw up, and yet today you stand here and you promote unashamed, unabashed, with no embarrassment whatsoever, gambling as a new way of life in Ontario.

If the people of Ontario want that, they should be given an opportunity to come in and say so, not just the people of Windsor. The people of Windsor, you put a gun to their heads. They've got economic problems, they've got job problems, and you dangle this carrot out there. What else are they going to do? They need the employment, they need the construction, they need the taxes and they need the work. What else are they going to do? Instead of going to them with some kind of a comprehensive program that will help their community, you dangle a gambling casino in front of them.

You want to talk about new democracy, let's talk about the fact that the city of Windsor does not, under current law, have the authority to expropriate the land for public use for this particular facility, because, to the money bags walking in the room, a gambling casino is not defined as public works. So what do you do?

You put a piece in the legislation that says: "We're going to let you take their land away. We're going to let you devalue their land. We're going to let you expropriate it, and we're not embarrassed or ashamed about doing that. Hey, Ontario, no problem. You got something you want to do? We'll give you the power to steal people's land."

This is unconscionable. This is the New Democratic Party. I don't know how you guys sleep at night, generically. I don't know how you sleep at night when a municipality comes along and says, "Redefine a gambling casino as public works because we don't have the authority to take the land away." "Oh, okay, we'll just make an amendment." It's unbelievable.

What you've done is, you've just extrapolated your New Democratic principles all over the place. The Labour minister's left. What's going on in Bill 80? Another clear example of the government interfering in a democratically elected union constitution. It's unbelievable. The labour people are out there saying: "We don't understand this. How can the caucus support this?"

I see the House leader walking in. When he gets to the point where he's unable to sit down and responsibly make an agreement with my House leader and with the Tory House leader, and I sit in those meetings, because he can't make an agreement.

Interjection: It's impossible.

Mr Mahoney: It's not impossible. On that photo-radar, we had four speakers left, and we were done. We told your House leader that, four speakers and we were done.

Interjection: We've heard that before.

Mr Mahoney: That's the agreement we made with the House leader. He ignores that agreement, and he decides to bring in the hammer.

I say to the House leader, if you want to continue

operating with the hammer, sir, you will do so at your peril. You people want to spend Christmas Eve in this place, God bless you, you'll be here, and we'll see to it, let me tell you that.

You want to apply your New Democratic principles to this place and think that you can stifle opposition and think that you can tell us that we don't have a right to demand full public debate on something as important as Bill 8, on something as important as changing the entire course of this province, you want to bring in closure on that, I tell you, sir, you do this at your peril and so does your government.

The Acting Speaker: This completes the time allotted for debate on government notice of motion number 12. We will now proceed with the vote.

Is it the pleasure of the House that Mr Charlton's government notice of motion number 12 be carried?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. We have a 15-minute bell.

I also want to remind members that we have a bravery award ceremony going on at present on the main staircase, if you could refrain from using it at this point.

The division bells rang from 1800 to 1815.

The Acting Speaker: Order, please. Could all members please take their seats.

We will now deal with Mr Charlton's motion, government notice of motion number 12. All those in favour of Mr Charlton's motion will rise one at a time and be recognized by the clerk.

Ayes

Abel, Akande, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Duignan, Farnan, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Murdock (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Wessinger, White, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

The Acting Speaker: All those opposed to Mr Charlton's motion will rise one at a time and be recognized by the Clerk.

Nays

Beer, Bradley, Brown, Chiarelli, Cleary, Conway, Daigeler, Grandmaître, Harnick, Jordan, Mahoney, Marland, McClelland, McGuinty, Miclash, Murdoch (Grey-Owen Sound), Murphy, O'Neil (Quinte), Poirier, Runciman, Ruprecht, Sola, Sterling, Stockwell, Tilson, Turnbull.

The Acting Speaker: The ayes are 63; the nays are 26 ! declare the motion carried.

I want to remind all members of the awards being presented in the main staircase. Please refrain from using it at this time. The awards are now being presented.

It now being well past 6 of the clock, this House stands adjourned until tomorrow at 10 am of the clock.

The House adjourned at 1818.

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52	2663	1	17	think all members of the committee worked very
53	2704	1	23, 24	Mr Phillips: I can't tell you how angry, among other things, the Provincial Auditor was. I've never seen a
53	2718	1	1	the assistance to each community in building its capacity to
53	2723	2	42	other corporation. So this is a plus. I believe that when
81	3995	2	39	like Inside Education, Imprint, Between the Lines and

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Honourable David Warner

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L'honorable David Warner

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Thursday 18 November 1993

The House met at 1003.

Prayers.

PRIVATE MEMBERS' PUBLIC BUSINESS
CASINO GAMBLING

Mr Kwinter moved private member's notice of motion number 30:

That, in the opinion of this House, given that the government has decided to create legalized casino gambling in Ontario; and

Given that the government of Ontario has decided to contract out the operations of its legalized casino to a private operator, to be selected by tender; and

Given that this decision has been made solely on the basis of the government's need for increased revenues; and

Given that the taxpayers of Ontario have been given no assurance that they will not be forced to pay for any revenue shortfall experienced by the private casino operator;

This House requests the government of Ontario to introduce an amendment to its casino legislation that will ensure that the financial responsibility for any revenue shortfall and debt will be that of the casino operator; and

That in no circumstances will the taxpayers of Ontario bear any responsibility, financial or otherwise, for any such shortfall and debt.

The Acting Speaker (Ms Margaret H. Harrington): Pursuant to standing order 96(c)(i), the honourable member has 10 minutes for his presentation, and following that, members of the other parties will have 15 minutes to debate this resolution.

Mr Monte Kwinter (Wilson Heights): I rise on this issue with some regret. The regret that I have is that it would even be necessary for a member to resort to this particular vehicle in order to bring to attention a basic financial principle that is really at the basis of what I think we are here to do, to protect the interests of the taxpayers.

What is the issue basically? The government has decided that it is going to enter into a scheme with private developers and private operators to run a casino in Windsor. I don't want to debate the whole issue as to whether or not they should be in this business. They have made the decision and I accept it. Where I have some concern is that there seems to be a feeling, certainly among government representatives and certainly among some of the bureaucrats, that this is a licence to print money and that the only benefits that will accrue to the people of Ontario are beneficial because it's going to generate a great deal of money. I hope that it does. I wish them well and I hope that it's successful and that all of the things they hoped would happen will happen. But there is no guarantee.

Over the years, we have watched various government endeavours that started out with the best of intentions, with the intentions that all of these things would happen

and they would happen to the benefit of the citizens of Ontario. But unfortunately—and I'm not condemning anyone for it; it's just the vagaries of doing business—there is an opportunity occasionally for things not to work out. I remember well Mayor Jean Drapeau of Montreal when he proposed the Olympic Stadium. He said, "This project can no more lose money than the prospects of me giving birth to a child." We all know that not only did it lose money; it lost hundreds of millions of dollars.

Again, without trying to be partisan, without trying to point the finger at any particular party, we in Ontario have many examples: Minaki Lodge, Suncor, SkyDome. All of these projects were started out with the best of intentions, with everyone feeling that they would have no reason for these things not to be successful, but because again of the vagaries of business and the vagaries of investment they have not achieved those particular goals.

What we are saying is, not necessarily gambling but gambling if necessary; if you're going to do it, at least build into the legislation provisions that the taxpayers will not be left so-called holding the bag and having to take part in a gamble when I am sure that if a referendum were held, they may or may not like the idea of casino gambling, but I don't think there would be any support if taxpayers were told, "If it loses money, it's your problem." That is what the intent of this particular resolution is: to get enshrined in the legislation the principle that under no circumstances will the taxpayers have to pay, that it will be the sole responsibility of the operators.

When we were in committee we tried to get an amendment to this effect. We had assurances from the Deputy Minister of Consumer and Commercial Relations that of course there is no, as she underlined, intent that the taxpayers will ever have to pick up or that they should pick up any shortfall.

When we talked to members of the government side, some of them spoke in favour of our amendment. To our surprise, when we put it to a vote, they voted against it. It was the most bizarre exercise I've ever seen, where five minutes after saying, "Yes, we agree that should be what it is," they voted against it.

I want to read into the record a couple of articles that I think are critical and important to this discussion. One of them appeared in *Business Week*, a highly respected publication in the United States, dated October 18, 1993, exactly one month ago today. The headline says, "Will Too Many Players Spoil the Game?"

It says: "Few industries are as hot these days as the gaming and casino business. Hungry for the tax revenues from gambling, state and local governments are allowing new casinos in South Dakota mining towns, up and down the Mississippi River, and on Indian lands in Connecticut, California, and points in between. The casino industry took in \$10.2 billion in 1992, and the gambling experts think that will double by the year 2000. 'Gambling will be the biggest form of entertainment in the country,' says Fort Worth investor Richard E. Rainwater, who holds

options to buy a 14% stake in slot machine operator United Gaming Inc. 'Bigger than movies, sports, even eating out.'"

Then the article goes on to say: "As any all-night blackjack player will tell you, though, there's no such thing as a sure bet. With dozens of companies spending hundreds of millions to jump into gaming—not to mention veteran investors such as Marvin Davis and even celebrities such as Debbie Reynolds and Kevin Costner—someone is bound to get hurt. 'There's going to be a shakeout and a consolidation, just like any other boom industry,' predicts Charles Avonsino, president of Hilton Corp, a veteran operator of casinos.

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"Nowhere are the risks greater than in Las Vegas. Just two weeks before Treasure Island opens, Circus Circus Enterprises Inc will open its \$390-million pyramid-shaped Luxor casino. And in mid-December, Kirk Kerkorian's MGM Grand Inc will open a new 5,000-room hotel and casino. Kerkorian is pouring \$1 billion into the project, which includes a 33-acre theme park. His goal is to lure families, preferably with parents who are slot machine enthusiasts. 'Our studies show that only 15% of Americans have ever been to Las Vegas.'" Then he goes on to say, "'We have plenty of room to grow.'"

But I think it's important that you understand this: "Perhaps. When new casinos thrive in Las Vegas, however, it is usually at the expense of existing players. The glittery Mirage and the Excalibur have been luring new tourists since they opened in 1989. But in the same period, five other stalwarts, including the Dunes and the Riviera, have gone bankrupt. Indeed, average pre-tax profits along the Vegas strip last year were only slightly higher than 1987, according to casino analyst Saul F. Leonard. With all the development, Leonard says the town will have a serious excess capacity problem for the next two years.

"Outside the oasis of Las Vegas, gambling is becoming even more dicey. In Atlantic City, for example, bus traffic has dropped 10% in 1993, while overall wagering is up a paltry 2.4%, according to the industry newsletter....The reason? Foxwoods, a new casino operated by native Americans in Ledyard, Connecticut, is siphoning off business....And if Philadelphia legalizes gambling, a move the city government is considering, Atlantic City could be even more grievously hurt, says Atlantic City Action editor Al Glasgow.

"Newly opened territories are vulnerable to overbuilding as well. Since 1991, Colorado has permitted gambling in only three counties. But 75 gambling operations had sprung up by the beginning of this year. Already, 12 have closed their doors. Just two years after riverboat gambling was allowed on the Mississippi, there are nine floating casinos in Mississippi and 15 in Louisiana. Promus Cos recently cancelled plans to launch a boat in Biloxi, Mississippi, because it feared there were too many players in that market.

"The shakeout could speed up as the behemoths move in with their well-heeled marketing operations. Hilton, Circus Circus, and the Mirage are among those competing for riverboat licences. And several companies are clam-

ouring to launch still more boats if Chicago votes to allow waterway gambling.

"But while sheer muscle can overwhelm smaller players, size alone doesn't guarantee success. Bally Manufacturing Corp's Las Vegas casino operation only recently emerged from bankruptcy and is still considered a weak operator. The jury is also out on ITT Sheraton Corp, which spent \$160 million in June to buy the fabled, if somewhat dowdy, Desert Inn.

"With development proceeding at such a blistering pace, some players are hedging their bets."

It goes on to say that even Silverman, who is a major player in this issue, "is preparing for a shakeout, which he figures is about three years away." That three years is exactly the timing pretty well when the permanent casino will come on stream in Windsor.

So we have a situation where the experts in the field—

The Acting Speaker: The member's time has expired.

Mr Kwinter: —have concerns and I have concerns, and I think it's absolutely critical that we put in this legislation to protect the taxpayers of Ontario.

The Acting Speaker: Further speakers?

Mr Allan K. McLean (Simcoe East): I'm pleased to have this opportunity to comment briefly on this resolution that has been brought to our attention today by the member for Wilson Heights. The resolution:

"That, in the opinion of this House, given that the government has decided to create legalized casino gambling in Ontario; and

"Given that the government of Ontario has decided to contract out the operations of its legalized casino to a private operator, to be selected by tender; and

"Given that this decision has been made solely on the basis of the government's need for increased revenues; and

"Given that the taxpayers of Ontario have been given no assurance that they will not be forced to pay for any revenue shortfall experienced by the private casino operator;

"This House requests the government of Ontario to introduce an amendment to its casino legislation that will ensure that the financial responsibility for any revenue shortfall and debt will be that of the casino operator; and

"That in no circumstances will the taxpayers of Ontario bear any responsibility, financial or otherwise, for any such shortfall and debt."

I support this resolution in principle because I do not believe there should be any casino gambling in the province of Ontario in the first place, and, number two, since the NDP is determined to ram this through, I believe there should be assurances that the financial responsibility for any revenue shortfall and debt will be that of the casino operator. Under no circumstances should the hard-pressed taxpayers of Ontario bear any responsibility, financial or otherwise, for any such shortfall or debt.

You're all no doubt aware of the concerns I raised in the past about gambling casinos, concerns like the lack of any kind of public consultation process before the

government went off half-cocked and announced the pilot project in Windsor; concerns like my belief that state-operated gambling casinos are nothing more than a regressive tax on the poor; concerns like the potential for the growth of crime and the economic hardship and loss of jobs they will impose on Ontario's racing industry and some 28,000 employees in that industry.

Bill 8, the Ontario Casino Corporation Act, is another example of this government bringing forward legislation that divides Ontarians against each other. The split has occurred in my own riding of Simcoe East, where some people indicate they are adamantly opposed to casino gambling and others support it in principle. I asked my constituents about their opinions on casino gambling and video slot machines. Approximately 1,000 people took the time to give me their views on this controversial issue. Some 47% indicated they opposed casino gambling, while 30% said they supported casino gambling and 23% were undecided. With respect to video slot machines, 59% were opposed, 6% were in favour and 35% were undecided, so there's quite a variation between the slot machines and with regard to the other.

Supporters of casino gambling claim these facilities will boost tourism in border communities that are feeling the impact of cross-border shopping. They suggest casinos will create employment opportunities and claim the Windsor casino will generate \$150 million in revenue annually for the provincial coffers. The opponents of casino gambling say the government has not studied the social and economic consequences of casino gambling. They are concerned that casinos will attract organized crime and result in an increase in the number of gambling addictions.

Many charitable organizations, service clubs and the horse racing industry fear they will suffer from competition with government-run casinos. Supporters of video slot machines suggest they will provide a greater potential for revenue than any other form of gambling. Opponents say video slot machines are the most addictive form of gambling. These are some of the statistics that have come out in the questionnaires I sent out.

Since this government appears willing to gamble with the economic future of Ontario by forcing through a time allocation motion on Bill 8—yesterday we dealt with it—and cutting off public discussion, I want this government to put some protection in place for Ontario's hard-pressed taxpayers. That's why I'll be supporting the member for Wilson Heights in demanding that the government amend Bill 8 to ensure the financial responsibility for any revenue shortfall and debt will be that of the casino operator and that under no circumstances will the taxpayers of Ontario bear any responsibility, financial or otherwise, for any such shortfall or debt.

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When we look over the record of some of the issues that government gets into, we look at the debt that we have in the SkyDome. We read about Bob White, who is leading a consortium to sell that facility. It's been some two years and they haven't done it yet. We're paying on that major debt.

We look here in this Legislature at when the member

for Victoria-Haliburton had a crusade and petitions opposing casino gambling. Many, many petitions were presented in this Legislature. I often wonder. When the committee was having hearings on this very issue, it was the agenda of the government that brought forth the people, and the majority of the people that they wanted, to look at their agenda, to make sure it was the people that they wanted to have before that committee.

We look at the Agenda for People and what the Premier had to say about casino gambling. Do we remember what the Premier said about casino gambling? Do we remember the Premier speaking about it? Do you know that yesterday the Premier's government brought in a closure motion to introduce the very issue about which he said there could be nothing worse in Ontario than to be having casinos? Do you remember that? We remember that. That was the Agenda for People.

The people from the arts council in Windsor have spoken to me about the facility that they're planning on using in the interim. They've said, and the government has said: "Well, we are going to be fixing up this building. We're going to be putting money in after we're finished with it." But those people have told me that they are not fully committed, nor do they feel that they'll be given fair treatment. That's what they're telling me. They may be telling somebody other stories.

On this whole issue of casino gambling and video slot machines, the government in my estimation is gambling on casinos to pay off our deficit. I don't think it will happen, because when we look at the statistics, it's shown to me that it won't happen.

The very issue that is brought before us today by the member for Wilson Heights with regard to the debt is a good one and I will be supporting it, because the taxpayers are the ones we don't want to have to pick up the burden of what this government has done.

Mr Noel Duignan (Halton North): It gives me great pleasure to speak to this resolution here this morning, a resolution which I will not be supporting.

It's actually great to listen to the previous two speakers talk about incurring debt. I believe what we're witnessing here in this chamber this morning is a historic day in Ontario political history, because we have two of the greatest conversions since Saul walked the road to Damascus.

The Tory party across from us: Here's the party of Minaki Lodge and Suncor and dozens of other debt-incurring situations they have put the people of this province into. And the Liberal Party, which has given us SkyDome and which during the last election told the people of this province that they had a \$23-million surplus, which in fact turned out to be a \$3-billion debt. Now they have the nerve to lecture us about the evils of government incurring debt.

Where on earth was the member for Wilson Heights when David Peterson's cabinet inked the SkyDome deal? Where was he? Was he sitting on his hands? He was, as I recall, a very influential member of the cabinet at that time. Why did the SkyDome deal not contain the words from his resolution?

I'd like to repeat the words again: "That in no circumstances will the taxpayers of Ontario bear any responsibility, financial or otherwise, for any such shortfall and debt." Why was that not included in the SkyDome deal? Why not? It's cost the taxpayers of this province some \$350 million to this date. Why did the member for Wilson Heights not speak up and suggest an equally clever method for SkyDome to cover its costs? No. He sat on his hands while the taxpayers of this province picked up the tab.

These members opposite would have the people of Ontario believe they are protecting the public purse, the very same purse they drained while they were in government.

Interjections.

The Acting Speaker: Order. It's impossible to hear the member who has the floor. I hope that each one of you will have the chance to express your opinion. It's the member's time.

Mr Duignan: Thank you, Madam Speaker. The Minister of Consumer and Commercial Relations has repeated that the taxpayers of this province will not pick up a cent if there's any debt incurred. The minister has also agreed that 25 new Windsor police officers and their equipment will be financed from casino revenues. The minister has also said that extensive background checks on would-be casino operators are being financed from the \$300,000 each submitted with their bid.

The government even wholeheartedly agreed with an opposition amendment to Bill 8 which will establish an independent committee to monitor the effects of the casino. The amendment compels the casino corporation to pay for the expenses associated with that committee.

Where will the Ontario Casino Corp get its operating funds? From casino revenues.

The minister has made a commitment that when the contract is signed with the successful proponent, it will have the provisions which will ensure that the concerns of the member for Wilson Heights will be addressed. I'm confident that she will do a better job than he and his colleagues did with the SkyDome deal.

Never in the history of this province has there been a job creation project, a tourism enhancement project or an economic development initiative of the scale of the Windsor casino, which is completely self-financing. More important than the jobs created in the casino is the effect such a catalyst will have on the economy of the Windsor area and indeed the province.

I remind this House why we are proceeding with the casino initiative. I think this will be useful since the preamble to the resolution misrepresents the rationale for the casino initiative.

The gaming industry is a large and growing form of entertainment in North America. Gaming exists in some form in every province, and virtually every state south of the border has gaming of one kind or another. I want to put into context how large this industry indeed is. In the United States, some \$330 billion is waged annually. That is five times more than the box-office receipts from the movie industry. The gaming dollars are so big because

the industry has experienced such rapid growth in recent years.

I suspect some members of the opposition would like to ignore this growth; they would like to cling to the notion that casinos exist only in Las Vegas and Atlantic City. That was true about 10 years ago but certainly is not the case today. Casinos are now a feature of gaming landscapes in some 20 American states, and that's growing every year.

We're also seeing similar growth in Canada. There are more than a dozen casinos, for example, in British Columbia. They operate along the lines that our bingo halls do here. These casinos are rented each day by different charities for fund-raising purposes. Similar casinos exist in Alberta, Saskatchewan and Winnipeg. The Manitoba government has opened two more gaming centres, essentially large bingo halls surrounded by hundreds of slot machines. Also, the government of Quebec has recently opened one casino and is in the process of planning another. We're seeing the same issue debated in Atlantic provinces.

Casinos surround our province in every direction: to the west, to the south, to the east, and indeed the Yukon has a casino. As a result of this enormous growth in the casino market, the province of Ontario is forfeiting hundreds of millions of dollars every year to other jurisdictions, and last year that was in the range of some \$600 million. We can no longer afford this. Talk to the hotel owners, talk to the people who run restaurants, talk to the operators of other tourist attractions.

We have a beautiful province. Accordingly, millions of tourists come here every year. What we want is new tourists arriving with new dollars and new jobs. If we're going to remain competitive as a tourist destination, we must be able to offer the forms of entertainment that tourists want.

The government estimates that every day some 10,000 out-of-province tourists will visit Windsor. The Windsor hospitality industry wants this to happen and indeed needs it to happen. They know what a shot in the arm this would be for the Windsor economy.

I know, Madam Speaker, that you travelled with the committee to a number of other destinations in this province. We were in Sault Ste Marie, we were in Ottawa, we were in Niagara Falls. They all want casinos, because they all know what jobs they are going to bring to their particular community and they all know what type of dollars they'll bring in.

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In conclusion, it's clear that this government has chosen the correct course of action in proceeding with the Windsor casino. It would help keep dollars in Ontario that would otherwise flow to the United States. In addition, we would help attract new dollars from our American neighbours by introducing the casino to Windsor, Ontario's largest border city.

The government is helping our tourist industry keep pace with the competition. I believe that is good news for everyone in the tourism sector, but also it's good news for the people of this province.

I quote from the minister: "I'm glad the Liberals and the Tories in particular, who have incurred billions of dollars of debt on different projects over the years, have finally seen the light. I want to make sure that this doesn't happen to the taxpayers of the future."

We are doing that by making sure in our contractual arrangements with proponents that they will be responsible for any debt incurred in the operation of the Windsor casino. That's a commitment of our government and was never the commitment of the two previous governments in this province.

The Acting Speaker: Further debate? Now it's the turn of the member for Oriole.

Mrs Elinor Caplan (Oriole): I really am pleased to participate in the debate today. As I begin, I'd like to remind members what private members' hour is really all about. It's not a partisan debate; it's supposed to be an opportunity for private members to put forward good ideas. In this case, my colleague the member for Wilson Heights has put forward a proposal that wasn't listened to or accepted by the government at committee and this is his opportunity to make his case openly and publicly here in the Legislature and appeal to all members to understand the rationale for his resolution.

What he is proposing this morning is simple and clear and something I believe the provincial government under Bob Rae, which is introducing casino gambling into Ontario, should do. The reason I think they should do it is that what Mr Kwinter is proposing is protection of the public interest and protection of the taxpayer as we begin this new venture in casino gambling in the province of Ontario. It's that simple: protection of the public interest and protection of the taxpayer.

The previous speaker went on in defence of casino gambling. This debate is not about the pros or cons of casino gambling. Bob Rae and his government, the NDP, are bringing casino gambling into Ontario. That is a reality. The question now is, how do we bring it in in a way which protects the public interest?

Mr Kwinter tried at committee to put forward this amendment, which would say—I say to the member who spoke before me that I wish the NDP would listen to some of the good ideas that are brought forward from members of the opposition when we're clearly just trying to help and also, as members, understand our obligation to act in the public interest and put that argument before the government—that's number one. They're always saying to us, "So, what's your good idea?" When we give it to them, in a partisan way they reject it because it wasn't their idea.

The member who spoke before me referred to history. He referred to Suncor and SkyDome and some of those other projects the previous governments had entered into and he went into a harangue about the mistakes. I want to agree with him. I'm not going to say that everything we did in government from 1985 to 1990 was perfect; it wasn't. We made mistakes, but the difference between us and obviously the NDP is that we are prepared to learn from our mistakes, to learn from history and what we could have done better.

I would say to Mr Duignan, the NDP and to Bob Rae: Learn from what previous governments have done that could have been done better; don't repeat the mistakes. Here's an opportunity to do something better. Here is an opportunity to write into the legislation public protection, protection of the taxpayers, and say very clearly that under no circumstances will the taxpayers of Ontario bear any responsibility, financial or otherwise, for any such shortfall or debt incurred from the NDP casino gambling initiative. That's thoughtful; that is reasonable; that is good public policy; that is looking at previous projects and saying, how could we have implemented those better? I don't understand why the NDP, why Mr Duignan, would get into such a harangue over this proposal, because it is a good idea.

I'm concerned that frequently what we see from Bob Rae and the NDP is, if they didn't think of it, it's not going to happen. I commend Mr Kwinter for being persistent in bringing this forward to private members' hour to give the NDP a second chance, because if the private members of the NDP caucus will support this, because it is in the taxpayers' interest and it is in the public interest, there is still time for the Minister of Consumer and Commercial Relations, for the cabinet and for Bob Rae himself to say, "We're going to amend the legislation to protect the taxpayers of Ontario." It's that simple.

That's what private members' hour is all about, and I am concerned and genuinely distressed when I see members of the NDP caucus standing up in private members' hour in defence of NDP partisan policy without keeping an open mind to consider the good ideas and suggestions that are put forward by other members.

I repeat: This debate is not about the pros and cons of casino gambling. Mr Kwinter says he accepts and recognizes the fact that the NDP are doing that. That's their right. They are the government and they have a majority government. But they can protect the taxpayers, they can protect the public interest as they go about doing this if they will take Mr Kwinter's good advice and amend the legislation as is suggested by this resolution. I would hope as we hear from other members of the NDP caucus that they will consider doing that today to show that they too share with us the desire to protect the public and the public interest.

Nothing is for sure. As we're talking gambling, there is no sure bet. Nobody should take anything for granted. All the nice words from the minister, from the Premier, from the cabinet and from Mr Duignan about the protection of the public by contract is not as strong and powerful a protection as protection of the public by law.

If the NDP, the Premier and the Minister of Commercial and Consumer Relations, the cabinet and the NDP caucus are sincere about protecting the public interest, here is an opportunity to take a good suggestion, a good idea from a member of the official opposition and incorporate that, first by resolution in this House and secondly into the legislation before it receives third reading and royal assent, and show the public that in fact they are open to good ideas and suggestions, they are willing to listen and they're willing to listen to a member

of the opposition who has put forward a thoughtful and reasonable proposal that won't cost them a dime, won't cost them a nickel and potentially could save the taxpayers of this province a lot of money.

I want to thank you for allowing me to participate in this debate and I urge the members of the NDP caucus to support this very reasonable and thoughtful resolution.

Mr Leo Jordan (Lanark-Renfrew): This Bill 8 and the resolution that has been brought in subject to that by the member for Wilson Heights certainly are giving me cause to say a few words in support of the member's resolution this morning.

Although I hadn't planned to make a presentation this morning, I have been moved to do so by the remarks made recently by the member for Halton North. I don't understand how he can continue on with this silly gobbledegook about what's happened in the past if he's not prepared to learn from the situations that he's referring to in the past and agree with this resolution as put forward by the member for Wilson Heights that will in fact protect the people of Ontario from being caught in a similar financial bind that we have seen our taxpayers have to face from other decisions made on larger projects by other governments.

I recall the member for Grey-Owen Sound heavily debating with the member for Halton North on this one issue: Why would he not concede to put the protection in the bill? This is a bill for the province of Ontario; it's not a bill for the city of Windsor. He's parliamentary assistant to the minister, so I can understand how the minister has had so much difficulty in getting this bill in front of the House and getting it through the House, because there's been considerable—

Mr Carman McClelland (Brampton North): Mismanagement.

Mr Jordan: —mismanagement, thank you, of the whole bill, from start to now. Now, under this resolution, we are attempting to give the minister and the parliamentary assistant a chance to make that small amendment. It's not a large amendment relative to the paperwork of the bill, but it is a very large amendment relative to the taxpayers of the province of Ontario.

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When the member for Halton North rants and raves about the mistakes of the past and how the taxpayer had to carry the load, we still can't get him to understand that Bill 8 is a bill for the province of Ontario, not a bill for the Windsor casino. He's saying, "Oh well, we don't have to worry about that because we can write it in as a clause in the contract."

What are you going to do then? We've made it legal to have casinos in the province of Ontario, and every time someone applies to have a casino, whether it be in Ottawa or elsewhere, we are going to be faced with that same possibility of the taxpayer facing a financial loss that could be created by that casino.

The member has put forward this resolution which very clearly demonstrates the need for this protection in the bill, not in individual contracts. I find it difficult that the member for Halton North can't understand that he's

leaving the province and its people wide open for every contract that comes up. We don't know what government will be in power, but it leaves it open for a government to go ahead and allow a casino to be opened without having that protective clause in the contract.

I urge the parliamentary assistant, the member for Halton North, to go back to his minister and plead with her to review this legislation for that point alone. I'm not going to get into the fact that we're shocked that the New Democratic Party has brought forward such a bill in the first place. It's disgraceful. You can put out an Agenda for People, like you did, and get elected on it, and then, in your three years to date, you've broken every promise. The only reason that the Agenda for People is there, it seems to me, is to give you a list of things you can do that you said you wouldn't do. That's been the whole program of your government, breaking the assurances that you gave the people in that Agenda for People. We've seen that over the three years, so we're not alarmed any more.

The government has had a spending spree since it came into power, never thinking about where the revenue would come from. Now they find themselves in this financial squeeze and they're desperately trying to bring in some money in the form of new taxes—they call them user fees—in the form of photo-radar, which I find is almost like spying on a driver on the highway, and they're spending \$80 million to install it.

Mr McLean: Putting the racing industry out of business.

Mr Jordan: Yes, putting the racing industry out of business, a sport that has been enjoyed in Ontario for years.

Madam Speaker, take it that the bill is passed now, has received third reading under closure, certainly not with any adherence to the many points that were made by the opposition. They were just so bent on getting this into law so that the casino could be opened in Windsor, so that the revenue could come here to try to help them get through their financial crisis. But I'm afraid that it's going to take more than Bill 8 to save this government, because what it may gain financially from Bill 8, it's going to lose in confidence with the people.

Mr George Dadamo (Windsor-Sandwich): As the member for Windsor-Sandwich and the member representing the area where the interim casino will be located in Windsor, I appreciate the opportunity to partake in this debate this morning.

It is certainly a pleasure to speak to the concerns of my honourable friends in the opposition, and the question placed before this House certainly is fundamental. It gets to the very heart of the relationship between this government and the people of Ontario. It becomes a question of trust and integrity.

The government brings the following promise forward: The taxpayers of this province will not bear any responsibility, financial or otherwise, for any shortfall or debt that could be incurred by the Windsor casino. That is the government's promise, and naturally it comes with a guarantee.

We were very careful in structuring the casino initiative to ensure that the guarantee is a contract between the government and the successful proponent. This contract will ensure that in the unlikely event of an operating loss, the loss will be the responsibility of the operator, not the taxpayers of Ontario.

This promise is illustrative of the relationship between this government and the people of this province. Throughout the course of this initiative, I've been struck by the integrity, the sensitivity this government has demonstrated in its work to introduce the casino to the city of Windsor.

I want to tell you now about one of the most interesting, yet little-known aspects of the casino initiative. I'm speaking about the relationship that has developed between the people of Windsor and the government of Ontario, a relationship comprised, as we said, of trust and cooperation. I know of few other examples where the government and a municipality have worked so closely and so productively on one project. This partnership is the reason the initiative to bring a casino to Windsor has been so successful.

This casino is being introduced properly and carefully, and both the municipality and the province continue to believe it will be a tremendous boost to Windsor's economy. There are over 160 businesses in the immediate downtown area in Windsor which are closed, an area which has been ravaged by cross-border shopping and the recession.

The government chose Windsor for the province's first casino because it is the largest of Ontario's hard-hit border communities. These communities, of course, require special attention. They have suffered because of their closeness to the American marketplace and the insensitivity of the federal government. The GST and free trade have hammered these cities and towns. Because of the casino, Windsor will now benefit from its border location instead of suffering.

The city is very well positioned to attract American tourists to a year-round casino. The infusion of new dollars into the Windsor economy will help create new jobs and stimulate economic growth, especially in the tourism and hospitality industries. It will be a great pleasure to see many of these dollars coming into our city.

The government announced on October 6, 1992, that Windsor would be the site of the province's first casino and naturally this announcement triggered many questions. The city wondered where the casino might go, how big it should be, who should own it, who should run it. Most of all, the city wondered if the government would listen to the wishes and the concerns. After all, it is the province that has the ultimate responsibility for the casino.

The province was asking many of the same questions. The province's goal, however, was very clear. It wanted to ensure the casino fit comfortably into the community. That obviously meant that many of the answers to these questions would need to come from Windsor and the residents. The project could not succeed without the help of the city and the community. By working together, both

Windsor and the province knew they could get the job done better and smarter.

As the Minister of Consumer and Commercial Relations promised on the day Windsor was selected, "starting immediately, our casino project team will begin detailed discussions with municipalities in the Windsor area to finalize the best approach and structure." A little over a month later, the provincial government and municipal officials held workshops in Windsor with more than 60 representatives of organizations right across Windsor. These included representatives of industry, business and labour, and charity, religious, arts and social service groups. The diversity of views and perspectives brought forward in those meetings helped form the core objectives of the casino initiative: that the project reflect and respect community values while providing maximum benefits for all those concerned.

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One of the concerns raised in those workshops was the casino's impact on charitable fund-raising. A month later, members of the casino project team met with the members of two dozen local groups involved in charitable gaming in Windsor. Many were of the view that more people visiting the city would ultimately benefit their fund-raising efforts. These people also asked that bingo not be played in the new casino. I'm pleased to note that it will not.

In closing, this House should applaud the bold and innovative approach taken by the civic leaders in Windsor and the bureaucrats of the casino project team. I can't tell you how pleasantly shocked I was when I read stories in the Windsor Star about bureaucrats operating at break-neck speed and making lickety-split progress. As the project continues, so will the team. The team will work between the province and the municipality.

From the day Windsor was chosen for the casino, the people of Windsor relied on the government to listen to their concerns. They trusted the government to act upon those wishes, and that is what we did, time and time again. We, here at Queen's Park, want to build on the enthusiasm in Windsor for this initiative. That's understandable when one starts to add up the number of new jobs created, when one considers the potential for renewal in the downtown core of Windsor.

I'd like to congratulate the mayor of Windsor, the city councillors, the Downtown Business Association of Windsor, those from the minister's office, the project team and all those people in Windsor who want this initiative, somewhere in the area of 80%. The sooner this important piece of legislation is in place, the sooner the Windsor casino initiative can become a reality.

Mr McClelland: I appreciate the opportunity to speak for a few minutes on this very thoughtful resolution put forward by the member for Wilson Heights. As you will know, Madam Speaker, and as members opposite will know, the resolution before us today is really an extension of an amendment brought to this place, in committee of the whole and prior to that at the finance and economic affairs committee, basically a product of Mr Phillips, the member for Scarborough-Agincourt, and the member for Wilson Heights.

Through deliberations in committee, they began to have some concerns with respect to the economic modelling that was being put forward in response to questions about the economic viability and potential for not only the Windsor casino but subsequent casinos across the province of Ontario. It became abundantly clear that at best the economic modelling was questionable and that at worst they may fall off the table, so to speak, and put the taxpayers of the province, not necessarily only with Windsor but with subsequent casinos, in some jeopardy with respect to the financial obligations incurred as a result of the construction and/or operation of those casinos.

The member for Windsor-Sandwich gave a very thoughtful speech, I thought. Initially, he talked briefly about relationships between governments and the people of the province. He subsequently went on and talked about the merits of the casino project in Windsor. A good speech, not necessarily on the resolution per se, but I understand where he's coming from. If I was living where he is living, I would use this opportunity to do the very same thing and speak to the cooperative spirit and the element of cooperation that I think has been evidenced in many respects.

I think there have been—and the member for Windsor-Sandwich would admit this, I think, being a reasonably thoughtful and objective person—some deficiencies, as there would be in any undertaking where people are involved, because after all, at the end of the day, we're all fallible and we make mistakes. I think there has been some considerable cooperation. At the same time, I think it fair to say that there have been some grave concerns raised by this party and my friends in opposition that, privately, other members acknowledge, in terms of the management and the time lines that have been set and some of the difficulties relating thereto.

In the result, of course, the government found itself in sort of a happy position that we had brought forward this amendment, because it gave it an opportunity to dig in its heels and say, "On the one hand, we support the concept and we're very much in favour of it, but we're not going to support the amendment," thereby providing them with an opportunity to set the table to say, "The opposition is delaying this bill; they're holding it up, so we can bring in a time allocation motion," as it did yesterday, to curtail debate, using this particular resolution, or the amendment that was the genesis of this resolution, to provide some rationale.

It's interesting that the member for Halton North, my friend Mr Duignan, stands in his place and sort of puts on his contrived outrage and indignation. I want to say to him that I think it takes a great deal of character for somebody to stand anywhere, and particularly in this place, and say, "Hey, mistakes were made." The member for Wilson Heights has done that.

Let me quote from a great philosopher to the south, Will Rogers. He said: "There's nothing as easy as denouncing. It don't take much to see that something is wrong, but it takes some good eyesight to see what will put it right again." It's a sort of folksy way of saying what the member for Wilson Heights has done. He said,

"You know, there were some mistakes made in the past." The government member, the parliamentary assistant to the Minister of Consumer and Commercial Relations, the member for Halton North, rants and raves about mistakes in the past. So be it. Who of us in this place has not made mistakes or been party to mistakes made by organizations? People, being what we are, have participated in mistakes. "Placing the blame" said Dr Battista "is a bad habit, but taking the blame is a sure builder of character."

I think implicitly the member for Wilson Heights has said: "Look, we've made mistakes. I'm prepared to take some of the blame. I'm willing to say I was part of a less than perfect process, and having done that, I want to learn from that and contribute to this bill specifically, and perhaps bring to focus a principle of the way government should operate from here on in, that we should be more careful, more precise in terms of the demands that we put upon ourselves to protect the interests of the taxpayers of this province."

I think it is a very thoughtful resolution, not only with reference to this specific bill but perhaps a model for other enterprises that the government of this particular stripe and future governments will enter into. I think it's abundantly clear that, as governments begin to operate into this decade and into the decades ahead, there will be more of an interchange of relationship with the private sector, with joint venture type operations and a coupling of the resources in the community.

Indeed, the Premier has said, even with respect to my own community, that maybe the courthouse will be built after all, with the private sector. I want to use that by way of an example about relationships that the member is talking about.

There is nobody in the New Democratic Party who is honest—and I suppose and presume that all members are honest and have that degree of personal integrity—who would not stand before the mirror or stand before themselves and say, "There were promises made by my government and for whatever reasons, without casting blame, they were not fulfilled." You know them all. There is a litany of them. Every government has from time to time done that.

I think it is important for us to say, "Okay, that can happen." I don't think it's something that we need necessarily be defensive about. I think we should be accountable for it in this place and be prepared to acknowledge that those things have happened and say, "How can we prevent that from happening in the future?"

There is no doubt that the member for Windsor-Sandwich stands in his place with absolute confidence and says, "There have been assurances made by this government," and he's willing to go to the bank on them, so to speak.

But there were assurances made by other governments and mistakes were made. There were assurances made by the opposition party, as it then was—it now sits in the place of government—and I say this with the greatest respect, assurances made by the Premier and others that have not been able to be fulfilled. The Premier and others in the government will say: "There are extraneous factors

or things that have changed. Circumstances have changed."

Is it not fair to say with respect to Bill 8, the legislation that will govern operation of casinos, that notwithstanding the promises, the assurances, the relational aspect that the member for Windsor-Sandwich rightly speaks about, things might change, things perhaps beyond the control of this government, perhaps not intended but certainly putting it, if you will, without casting a great pall upon it, as a government being a victim of changing circumstances? Any reasonable woman or man would say, "Yes, that could happen."

That is not to say that the government is being dishonest or disingenuous in terms of its commitments being made. I think perhaps the member for Halton North protests a little bit too much.

What this resolution says is: "Put it in writing. Make it a part of the law that adds substance to your declaration." It is not a great deal to ask for; in fact, something that I think my friends opposite would be proud to support. I can only urge them to get away from this rather partisan narrow-mindedness that has apparently emerged today and think about it in those terms. I think it's a thoughtful, good resolution, and I'm proud to be associated in support of the resolution brought forward by the member for Wilson Heights.

The Acting Speaker: The member's time has expired. The mover of the motion, Mr Kwinter, has two minutes to reply.

1100

Mr Kwinter: I want to thank the members for Simcoe East, Oriole, Lanark-Renfrew and Brampton North for speaking in support of my resolution. I also want to make a very brief comment to the other members of the government side.

The member for Windsor-Sandwich started out, and in fact paraphrased my resolution, saying that he was absolutely in support of it, it was going to be included in the regulations. It begs the question that if you're in support of it, why are you opposed to including it in the bill?

The member for Halton North, and I say this with some respect, ranted on about all these horrible things that other governments had done and as much as implied: "How dare you not let us make the same kind of mistakes that you made? You made them and we want to make our mistakes." I'm saying that we acknowledge that mistakes have been made in the past and that we want to make sure they don't happen again.

The other concern I have is that we are not debating Bill 8. That has been done. It was passed yesterday and is a fait accompli.

The government members today spent most of their time defending casino gambling. I'm not debating that; I'm debating the fact that it's going to be but that surely there isn't anybody who would object to the fact that the citizens of Ontario should not be put at any financial risk as a result of the potential problems that could develop. I hope this is a roaring success and, as I said earlier in my opening statement, that it generates an incredible amount of money for the citizens of Ontario.

All I'm saying is that there should be some safeguards, and it begs the question, if the government is not prepared to include it, why not? Why, if they support it, and why, if they say there's no problem with it, would they not include it in the legislation? The only answer could be that there has to be a problem with having it. If it's a problem for the government, potentially it's going to be a very serious problem for the taxpayers of Ontario.

The Acting Speaker: The time for the first ballot item has expired.

HERITAGE DAY ACT, 1993

LOI DE 1993 SUR LE JOUR DU PATRIMOINE

Mr McLean moved second reading of the following bill:

Bill 2, An Act respecting Heritage Day / Projet de loi 2, Loi concernant le jour du Patrimoine.

The Acting Speaker (Ms Margaret H. Harrington): Mr McLean, you have 10 minutes.

Mr Allan K. McLean (Simcoe East): I welcome this opportunity to provide some comments on private member's Bill 2, An Act respecting Heritage Day. You are no doubt aware that the purpose of this bill is to establish a new holiday on the third Monday of the month of February to celebrate Heritage Day.

Ontario's heritage is about our past, our present and our future. It is about the kind of province and the quality of life we can expect to have in the future.

We are a community in the province of Ontario. It is a community of people from many generations, many countries and many cultures. It is a community of people we have grown to appreciate and should celebrate on the third Monday of February each year. It is a legacy we must improve and enhance for the future.

When I speak of the community of people who make up this great province, I am referring to people whose roots lie in virtually every country on the face of the globe. For all of our diverse origins, we have learned to act as a unified community, as a multicultural society where different people from different cultures live, work and play together.

You are no doubt aware that Canadians have celebrated Heritage Day unofficially on the third Monday of February across the country since 1974. To give these celebrations a higher profile and a greater visibility, Ontario Heritage Week was introduced in Ontario in 1986, and this event has grown steadily in popularity over the past seven years.

Designating the third Monday in February as a heritage holiday would increase awareness and appreciation of the social and economic importance of Ontario's multifaceted heritage resources.

This day could be used to encourage a broad public participation in heritage preservation, protection and promotion. It could also be a day to support and recognize the efforts of groups, individuals and the many organizations involved in heritage activities in Ontario.

The current Heritage Week is largely a community-based celebration with the majority of events and activities organized by local groups like historical societies,

architectural conservation advisory committees, community museums, archives, heritage organizations, schools and libraries, to name but a few. These groups deserve our appreciation, support and recognition for their efforts to keep our heritage in the public eye, for giving our heritage a higher profile and for making us all aware of our roots.

As I said earlier, we are a community of many people in Ontario, and that means some areas of the province will celebrate their Mennonite heritage, some would recognize their Scottish past, others would celebrate their French heritage, some would recognize their English past and others would celebrate their aboriginal heritage. Immigrants from around the world could celebrate and tell us about their heritage. All of us could get directly involved because we all have a role to play in celebrating our diverse heritage in Ontario.

The fair and equitable climate we now know in Ontario is a direct result of the sincerity and common decency of the citizens of this province. But it would certainly be naïve of me to suggest that a multicultural society has progressed in constant harmony or to ignore the blemishes that exist today.

Heritage Day would provide our citizens with an ideal opportunity to learn about their brothers and sisters who live next door, in a nearby municipality or an adjoining township, who may have a different culture or heritage than themselves.

I cannot think of a better way or a better method of improving the multicultural composition of our society, of ending discrimination in employment practices or in renting affordable housing. Heritage Day would make each and every one of us more sensitive to the different traditions and values of our immigrant, ethnic and native neighbours.

The Toronto Star recently asked the question, "Should Canada have a public holiday in February?" There were 862 callers, of whom 93% said yes and only 7% said no. Here are some of the responses to this Star poll: "Yes. Please. Tomorrow." "The whole month should be a holiday." "Call it Heritage Day." "I think the benefits would outweigh any economic losses; companies would see less sick time and absenteeism."

Opponents argued that the country's economy doesn't need another day where employees are paid for not coming to work. But I would suggest the recreational, tourism, cultural and hospitality sectors would stand to benefit from the extra spending the Heritage Day would likely encourage.

As a point of interest, Canadians currently have nine statutory holidays a year while Americans have 12, the British have 11 and the Spanish and Australians have 10. We have a fewer number of holidays than any other major western country.

The people of Simcoe county have a unique heritage to celebrate. This marks the 150th anniversary of the incorporation of the county of Simcoe. The county is named after Upper Canada's first Lieutenant Governor, John Graves Simcoe, who first explored the region 200 years ago.

There are more than 100 historical sites in the county that are located in the riding of Simcoe East and are marked with distinctive blue and bronze plaques. In September 1814, the Royal Navy captured the United States ships of war *Tigress* and *Scorpion*, and they were later sunk in Penetanguishene Bay.

Taking advantage of the rapids at what is now the village of Coldwater, members of the Ojibwa band constructed a grist mill in 1833 to serve the residents of the Coldwater reserve. By 1831, native black veterans of the war of 1812 accepted lands granted in Oro township to form the only government-sponsored black settlement in Upper Canada. The community grew to 100 settlers and flourished briefly until it was abandoned due to poor soil and harsh climate. That was in 1831. My ancestors came to Oro township in 1832.

So we talk here about our heritage. Pressure by land-hungry settlers in the vicinity of present-day Orillia forced the relocation, in 1838-39, of a band of Ojibwa led by Chief William Yellowhead to a new reserve in Rama township, which saw residents transformed from a nomadic to a settled lifestyle.

1110

George Cowan, known to his French Canadian employees as Jean Baptiste Constant, established an independent trading post on Matchedash Bay near the village of Coldwater in the late 1770s. His fur-dealing territory probably included most of present-day Muskoka, Simcoe and Haliburton.

The site of an Ojibwa reserve from 1830 to 1838, Orillia subsequently prospered as an agricultural and lumbering community. The transportation links with Toronto and Georgian Bay stimulated Orillia's development as a commercial centre and a summer resort.

The village plot of Penetanguishene had been surveyed as early as 1811, but there were no civilian settlers on the site until the troops and fur traders from Drummond Island began to relocate there in the 1820s. The nearby naval and military establishments helped to sustain the community during its early years.

These are only a few of the many historical figures or cultural groups that we could honour and celebrate on Heritage Day. That's the third Monday in February.

The story of Simcoe County, and all of Ontario for that matter, is one of growth and change. It is a story of the coming together of peoples of diverse backgrounds, beliefs and customs, of the effects of this encounter on them and on the land where they chose to anchor their dream for a better life.

Because the land was here long before the people who came to settle it, it's with the land that the province's story begins, but it is with the people of Ontario that this province's story continues.

Having said that, I believe an annual Heritage Day on the third Monday in February would increase awareness of the scope and value of our heritage, of our culture, resources, and encourage participants to preserve, promote, protect and develop their diverse heritage and cultures. It is a legacy we must enhance for our benefit and for the future of our children.

Over the last several years, I've had the opportunity to participate in putting plaques up honouring such people as the honourable E.C. Drury, who was Premier of this Province from 1919 to 1923, a man who established the highway system and the reforestation. We have many things to celebrate with regard to our heritage. These people who have honoured us with their forthright, superior outlook on this country should not be forgotten.

The Acting Speaker (Mr Noble Villeneuve): The honourable member for Simcoe East will have two minutes in response. We will now proceed to every recognized party in the Legislature. They will have 15 minutes to participate in the debate.

Ms Jenny Carter (Peterborough): I'm delighted to speak in favour of a Heritage Day holiday for several related reasons.

Firstly, as we all know, February is the worst month of the year and we do need something to counteract the February blahs. Heritage Week is already helping to do that.

Secondly, we do need to underline the importance of heritage, and a holiday is an ideal way to do that, because a holiday gives us a chance to experience our heritage.

In fast-changing times, we need to hold on to our accumulated knowledge of the things that make life worthwhile. Old cities and towns, old buildings and old things like furniture, works of art, clothing, jewellery and furniture, photos and documents contribute to our sense of continuity. We need that for our psychological health.

Less tangible things, like national and family traditions, songs and dances and stories, can delight us and make us feel secure in our world. All these things incarnate values and beliefs; they express relationships; they give us a place to belong and tell us who we are; they remind us that we have much to lose if we lose touch with the past.

They're an important key to social justice and a necessity for healthy communities and they remind us of the delight that unspoiled nature gave our forefathers. The literature and poetry of the past are full of the beauties of nature. They remind us of the physical and mental benefits of having to do things the hard way and, on the other hand, of our good fortune in being so much more physically comfortable than our forefathers were. Canada in particular suffers from a lack of continuity and needs to build on its past, meld its traditions and develop new ones which will bring people together.

Then there is a third reason why we need this holiday. As technology races forward and each worker becomes more productive, there is less that needs to be done. We're looking at rates of unemployment that do not come down as the economy improves. Whole categories of workers are becoming redundant, and yet those who have jobs seem to work harder and have longer hours than ever. The unemployed are too poor and insecure to use their time creatively, while those with jobs—and MPPs are a case in point—have no time for their own lives. This makes no sense either in economic terms or in human terms.

We all need and want to work, but we all need time in which to be ourselves and enjoy our heritage. We need to

read, to write a diary, to play games and dance and sing, to socialize, cultivate hobbies, produce works of art or enjoy the productions of others. We need time to walk and cycle, canoe and swim, to enjoy the beauties of nature, to pick flowers or tend our garden or raise our children and watch them grow, to enjoy being in this wonderful world and find out to the full who we are.

We only have nine holidays out of the 365 days in the year. People in the Middle Ages did better than that with all the saints' days they used to observe. The member opposite has already pointed out that Canada does not do well from the point of view of holidays. We need to shorten our worklife through shorter workweeks, earlier retirement, and more holidays and sabbaticals. That way there will be more jobs to go around, because they will be shared more widely.

All those people enjoying their leisure will create jobs too, in tourism and entertainment and sales of hobby materials. Wonderful things will be handmade and sold because people have the time to express themselves, thus enriching our lives and the economy. Days off when everyone else has a day off and community and family things can happen are especially rewarding and precious.

Heritage Week is a going concern and is the occasion of many imaginative and valuable community events, something my riding of Peterborough is particularly good at. Heritage Day is another step in the right direction. Let's do it.

Ms Dianne Poole (Eglinton): I thank the member for Oriole for her strong support in this matter. I am very pleased to rise on my own behalf at the very least, since it's private members' hour, and support Mr McLean's private member's bill, which in effect would create a special holiday in February to celebrate our heritage.

This is certainly not a new idea—thank you; the cavalry has come to the rescue with a glass of water. This is certainly not a new idea. In fact, it was first raised in 1973 by the Heritage Canada Foundation. They were advancing this idea in our federal Parliament. They gave a very good description of why it would be advantageous to have this special Heritage Day in February. They said:

"Because a holiday makes people sit up and take notice. It also provides a chance for celebration; in this case, a celebration of our history. Our country has a rich cultural past. Our homes, buildings and streetscapes are living history lessons, symbols of the past. Their preservation contributes to the feeling of identity and continuity in this diverse nation. It tells us something about our roots. It reminds us of who we are."

That was 1973, some 20 years ago, yet here we are debating, trying to make that holiday a reality in 1993.

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Mr McLean has had a very ongoing interest in this issue and did present a private member's bill in the last Parliament, where it was debated. In fact, one of my former colleagues, David Fleet, the member for High Park-Swansea, on the very same day that Mr McLean presented his bill presented a very similar one which not only would establish a day in February as Heritage Day but would also regularize, if you would like to use that

word, Simcoe Day and make that a statutory holiday.

I'm very supportive of this direction, and it isn't only because of the heritage. That is a very important component, particularly in a place like Ontario where we are very diverse, where we have many people from very many different nations who have come together and now live as Canadians. It's irrelevant whether you're English or Scottish, if you're Croatian, if you are from Jamaica. No matter where you came from, one of the advantages we have in Canada is that people bring their strengths, they bring parts of their culture, and this enriches our nation. It was once said that the United States was a melting pot but Canada was a vertical mosaic, because instead of melting, we do retain those strengths from our previous heritages and cultures.

One of the things the Heritage Canada Foundation had suggested was that there be a focal point for the first three years of celebration of Heritage Day. The first, they said, could be the celebration of the Canadian flag, for instance, which was proclaimed on February 15, 1965. In the second year, it was suggested that Canada's first Prime Minister, Sir John A. Macdonald, could be celebrated, since his birthday falls in that month. In the third year, we could celebrate the importance and contributions of Canada's native people, the first citizens of our country. One of David Fleet's suggestions was that in the fourth year, we could celebrate a very important historic event to our country, the installation of the Canadian Charter of Rights and Freedoms, which is a very important element of our heritage.

I would like to just mention a few general reasons why I support a holiday in February.

The pace that we've undergone in the last decade has been astronomical. I remember reading studies in the early 1980s saying that we were going to become a leisure society and that we should start to prepare ourselves for having more recreational time, more time to devote to our hobbies and our aspirations other than work. In reality, the converse happened, and today the pace is far quicker than it was in the early 1980s. We have far less recreational time, less time to spend with our families, less time to renew ourselves.

I am very supportive of adding a few more holidays to our calendar so that we can as a people renew ourselves, as the member for Peterborough has just talked about, so we can smell the flowers and walk in the park—well, maybe not in February; walk through the snowfields in the park. But I think it's very important. From a purely pragmatic point of view, productivity suffers when we don't take the pause to renew ourselves.

I'd like to bring up one special issue which is somewhat unique in Canada, and that's our Canadian winters. They are very harsh, they are very long, and at times they are very demanding. I think if you look at the number of suicides in January and February in Canada, there's no doubt that the weather and the climate contribute to a great depression. But think of the mindset when you know there's a holiday coming. Doesn't it lift your spirits? Doesn't it make you think, "Oh, there's one day I don't have to go into work, that I can spend time with my family, with my friends, that I can go to a concert,

that I can walk in the snowbound park," whatever? So it's for very emotional reasons that I think it's important we have that opportunity to renew ourselves.

I could probably go on at great length to explain why I feel holidays are very important, and it isn't because we don't work hard as Canadians. I think we work too hard in some measure. We have to learn to pace ourselves. We have to learn to appreciate that there are other things to life than our work. If we can combine two things, to create this opportunity to renew plus to celebrate our heritage, this is an excellent opportunity. I very much would urge all members of the House from all parties to combine these two worthy aspects and to support Mr McLean's bill. I thank him very much for bringing this issue to the House's attention.

Mr Leo Jordan (Lanark-Renfrew): I'm pleased this morning to rise and speak in support of Bill 2, An Act respecting Heritage Day. I thank the member for Simcoe East for bringing this legislation forward. I know he is deeply committed to establishing an official holiday that will serve to enhance our understanding and respect for our diverse heritage, especially in the riding that I represent, the riding of Lanark-Renfrew.

I was pleased with the presentation made this morning by the member for Peterborough on the values of our heritage not only in buildings and architecture but in people, and that we should have time to sit back, study it and learn from it.

In this presentation this morning, I would like to illustrate why I believe an official holiday respecting heritage is necessary. In my riding and throughout Ontario, I believe the holiday will instil a deeper understanding of how our past shapes our present and our future. The holiday will serve to educate and to promote the historical values which are the lifeblood of our communities, our municipalities, our counties and our province.

Bill 2 will designate the third Monday in February as Heritage Day. On this day and perhaps during the week, individuals and families across the province will celebrate their heritage background and historical roots in Ontario. In the past, heritage has been seen as a means by which we could preserve and recognize structures and buildings. However, since the Heritage Act was passed in 1974, our understanding of heritage has been transformed into a mode that considers the individual, the family and the community.

While the recognition and protection of great historical buildings is certainly important, this is only one of the aspects of heritage. Heritage is about people. Heritage is about people and the total environment in which they live. It can be more precisely defined as the living context that we have inherited from the past which enriches the present and shapes the future. These are the values which will be expressed by this Legislative Assembly when we create Heritage Day.

We should really look at Heritage Day as sort of a professional development day. We have that now in our education system for the teachers and the students. If we look at Heritage Day not just as a holiday but as a professional development day and a day of education, a

day of understanding the history that surrounds us in our own communities, in our own ridings, we become more aware and more knowledgeable of our past and, from that, then we are more prepared to face the future.

1130

In order to demonstrate the importance, I would like to talk about some of the rich heritage that is found in my riding of Lanark-Renfrew and how it has affected the people and the community.

I could start with the town of Almonte, a very historical community. I just want to touch on a couple of items. At Almonte, what's been known as the Auld Kirk Cemetery is a real historical spot in Ramsay township, just outside the town of Almonte. There's considerable history there.

The history of that site known as the Auld Kirk actually includes the location at which the families of our present Lieutenant Governor, the Honourable Henry N.R. Jackman, settled. I'd just like to tie that location into our present Lieutenant Governor. When he visited our riding to present the medals, he was pleased to go past this site and see the state of repair. It's been very well maintained.

The structure was built in 1836 by the local congregation of the Established Church of Scotland. The church was attended by Presbyterian settlers from several neighbouring townships. The value of the building and the location, and even the cemetery itself, has been seen for a number of years as a historical point. I'm proud to say that it has been well maintained and attracts a number of people each year during the tourist season.

Almonte was founded and established during the 1850s, along with the development of several woollen mills and the construction of a railway line to Brockville. By 1870, the village of Almonte was one of the leading centres in Ontario for the manufacturing of woollen cloth.

I can mention the Rosamond mill. The leading figures in the Almonte woollen trade were James Rosamond and his sons, Bennett and William. This family was instrumental in the development of the woollen industry along the Mississippi River valley. By 1890, Almonte was reputedly the seat of the woollen trade in all of Canada.

Also, just outside of Almonte, in Ramsay township, we have the heritage centre being developed for Dr James Naismith, the founder of basketball. He was a medical doctor but he also saw the need to establish a game that could be played outdoors and could involve the young in summer or winter. When he started that game it was a soccer ball he used. He took a bushel basket and cut it in two and that was the basket, so the name "basketball," as it was affixed at each end of the playing field. James Naismith was born in Ramsay township in 1891. The committee has been set up now to go ahead and establish a recreation youth centre there in honour of Dr James Naismith.

Moving on over to Carleton Place, Carleton Place was originally called Morphy's Falls. This settlement is on the Mississippi River. It took the name of Carleton Place in 1830 when the post office was officially opened.

In the riding of Lanark-Renfrew we have been very fortunate in many small rivers which, although small,

have waterfalls on them to the degree that they were capable of running flour mills, saw mills, electrical generating plants and so on. For instance, we have the Mississippi River starting out with the electrical generating plant at High Falls. This is a heritage plant in itself, and I'm hoping Ontario Hydro will see fit to restore that plant because it always has been a good tourist attraction. It would be nice to see it maintained as a heritage site.

It's very efficiently operated at the present time through automation from the control centre that used to be at Smiths Falls and they have now moved that in to Ottawa at Maryville. But the Mississippi had the plant at High Falls and it had the plant at Morphy's Falls at Carleton Place, also generating electricity, following on through to Galetta, where again we had the falls and another generating plant. Galetta has now gone to private enterprise and has been redeveloped and is generating power very efficiently.

Moving over to the town of Perth, the Scottish immigrants and soldiers discharged from the Glengarry Light Infantry and other regiments formed the majority of early settlers in Perth in 1816. Within six months of its formation the settlement contained some 1,500 people. At Perth the last fatal duel took place in 1833. Participants of the last fatal duel fought in Upper Canada were two law students, John Wilson and Robert Lyon. Some disparaging remarks by Lyon about Miss Elizabeth Hughes prompted the duel in which Lyon was mortally wounded. That was the last fatal duel; it was in 1833. There's a park named after that historic event and it's another tourist attraction as you visit the town of Perth.

There are many other historical sites in the town of Perth. I think I could safely say that the town of Perth has been the leader in restoring historic buildings in their community. They've done an excellent job and certainly they're an example for other communities who have buildings such as Perth has. The foresight that they have to go ahead and restore the architecture and the history of those locations speaks well of the community, of the council, of the heritage committee and the leaders generally.

Over at Smiths Falls we have the Rideau waterway. It forms a major part of the town's history. It was constructed between 1826 and 1832 for military purposes. The Rideau waterway, together with the lower Ottawa River, formed the first canalized route from Montreal to the Great Lakes.

I could go on for some time on the different events in my riding because it lent itself very well to the early settlers because of the power of the rivers and the timber that was available at that time for the sawmills.

Just to mention, Arnprior was initially settled in 1824 by some 80 Scottish Highlanders under the patriarchal rule of Archibald McNab. This settlement along the Ottawa River later became McNab township and was further developed with the help of Daniel McLaughlin, who recognized the potential of the Madawaska watershed and built the sawmills on the Ottawa River.

I could go on on the history of the riding of Lanark-Renfrew, but in closing I would just like to say once again that by pointing out the many historical and

heritage sites, we can surely see the need for one day a year that we could have to sit down and meditate on and talk about and communicate with our families and our neighbours on all these historical heritage values that we have there to enjoy.

Mr Gary Wilson (Kingston and The Islands): I too am very pleased to be able to join in this debate on Bill 2 from the member for Simcoe East. It's a very important subject. While I'm tempted to extol the virtues of the riding I represent—I think you'll all understand that there is a lot to say about the Kingston and The Islands area—and if I don't it's not because I don't want to make you people feel badly about not coming from an area so richly blessed that you'd feel second-rate; it's because there are a couple of things I want to mention that I think the member for Simcoe East has brought to bear in this bill.

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One thing that won't surprise you to hear is that the Kingston area has considered the idea of a Heritage Day. Back in the late 1970s, the town council named the third Monday in February Sir John A. Macdonald Day and considered that to be at least a city holiday. It was in part in keeping with the discussion in the federal Parliament that there would be a national holiday the third Monday in February. At that time, it was expected, too, that this would be taken up across the country. So union contracts mention this day as a holiday. Where I worked at Queen's University it still is a holiday, called Heritage Day.

Mr Chris Stockwell (Etobicoke West): Do they all go to work?

Mr Gary Wilson: Well, everybody doesn't honour it. It did have the advantage of freeing parents at a time when their kids were still in school. It was a special day, partly for that reason.

But the other thing I want to mention about the Kingston area—somewhat like the member for Lanark-Renfrew mentioned; the communities have valued their heritage and have worked at it—is that the work that went on in Kingston laid the basis for the Ontario Heritage Act of 1974.

I was pleased to chair a committee that was looking at that act in the past couple of years to see how it could be improved for today's circumstances. I think the thing that we found was, as has been clear in the remarks that have been made to this point, that there's no escaping heritage; heritage is what we are, and unless we understand what we are, where we came from, then we won't know where we're going. Or to put it more positively, if we understand where we've come from, then we have a better idea about where we're going and we can make plans for that. Heritage, as has been suggested, is seen to be in all aspects of our life.

Built heritage is one of the areas where it first gained prominence and was what the communities focused on initially, because buildings crumbled, and these buildings were important in the life of those communities. It was important to find ways to preserve the buildings so that the record of our past would be kept in this visible way.

But heritage goes beyond that, into the natural heritage, for instance. I know we all value the natural beauty and makeup of our ridings, as we do the architectural.

A third is what has been called "intangible" but also is referred to now as "living heritage," the languages, the customs, the traditions that we have all grown up in and value and want to see persist. This is why we're coming together, to make sure that this whole aspect of heritage will survive into the future, again because that is the basis, that is what has defined us as people, and we want to make sure that it stays strong.

I think the thing we want to take from the members who have spoken, justifiably of course, in saying what is so important and valuable in their ridings is that it is the strength of heritage throughout Ontario, in all our communities, that will determine the strength of the province, that will give the life to our province and the direction that we want it to go. Again, this is of course a very important aspect of social justice and why our government values heritage so strongly and has spent so much time in looking at the best way of improving the heritage act. With this high priority, I'm pleased to say that we expect the first reading of new heritage legislation in the spring.

Again, it's the community strength that comes from heritage that we want to strengthen in these aspects. Someone mentioned the idea of work as an example of where heritage isn't always recognized. Of course, the holiday recognizes that in one way; we take some time off work. But again it's the work that has built our province that we want to make sure we recognize, not only in taking it off but in how we have built this province to the extent that we have and how we can continue to strengthen it, and I suggest it is through strong heritage legislation. I'm pleased to say that the member for Simcoe East's bill highlights that, and I support it.

Mrs Elinor Caplan (Orillia): I'm pleased to rise today and participate in this debate about whether or not we should have a Heritage Day as a statutory holiday in Ontario. This isn't the first time that we've had this debate or this discussion in this Legislature. In fact, there's been discussion going back and support for this back into the 1980s, and I recollect some of that discussion very well.

One of the pieces of information that I don't think has been shared with the House this morning relates to the Ontario Advisory Council on Women's Issues report. That organization was established in 1973 by the former Conservative government, but it was in April 1989 that it made a report regarding the effect of public holidays, not only on women but on families. Their recommendation 29, which was included in that report of April 1989, stated as follows:

"That the number of statutory public holidays in Ontario be increased to 10, adding the August civic holiday and a family day in February to existing public holidays; and

"That the exemptions in" other sections of the act "and all...exclusions by regulation be deleted, so that all employees in Ontario are entitled to a minimum of 10 public holidays per year."

The rationale they presented for this was that at present, and I refer to this 1989 report: "In Ontario, there are eight statutory public holidays over the year.... In 1984, as many as 55.9% private sector employees, and 76.3% unionized employees, had 11 or more paid holidays per year. There is no justifiable reason why 10 public holidays cannot be the minimum standard for all Ontario workers."

They go on to say, "Public holidays are a basic standard which improve working and living conditions, contribute to improved family life, and may lead to increased productivity."

I refer to this report because I would very much like to support the notion of 10 statutory holidays as being the standard for Ontario, and then within that the concept of a holiday for Heritage Day, or as I would like to propose, that we consider that in celebration of Sir John A. Macdonald's birthday in January. They would very much come together as a day in the winter when we could celebrate our heritage and when we could also celebrate the history of this country.

In the riding of Oriole—I often describe it as a riding which really reflects the multicultural nature of this province—the people I have the honour and the privilege to represent frequently remind me of not only the importance of their heritage to the diversity of this province, but also just how much the cultural nature of the province has changed, to the benefit of the people of Ontario.

It seems to me that we could combine the advice from the Ontario women's advisory committee from 1989, the advice from Mr McLean for a Heritage Day, and the advice from others who have been advocating, and we've seen other private members' bills in this Legislature requesting support for a January holiday on the birthday of Sir John A. Macdonald.

It seemed to me that this resolution could be worthy of support, with the caveat that it could go to an all-party committee that would look at all of these recommendations and determine whether or not a Heritage Day/celebration of Sir John A. Macdonald's birthday wouldn't be a wonderful opportunity for us to celebrate not only the history of the development of our country, our first Prime Minister, but also a celebration of our cultural diversity and the benefits that Ontario has received because of the hard work and the dedication of the immigrant population who have come to make Ontario their home.

So it's not only the heritage and the culture and the traditions of those of us who had the privilege to be born here, whose parents and grandparents, such as mine, had the good sense to move to Canada, to make Ontario their home, but also a celebration of the diversity which waves of immigration that followed have brought to this province. In the riding of Oriole, I've often said that in the plazas the cultural diversity is evident, but we really don't have a focus for that celebration.

It seems to me that a statutory holiday in the middle of our bleak winters—I commend the member for Eglinton for having pointed out that often we do see a despair that is unrelated to the recession we're presently in, but just to the cold climate, to the time of the year, to the dreariness of our winters. By the time we get to January

or February, we need a lift.

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If that would increase overall productivity, as we know the experience has been from the other statutory holidays, if we could bring greater fairness by having a standard that said 10 is the number of statutory holidays for everyone in the province, not just those in unionized workplaces and those who work for the government, we could couple those desires for that kind of a lift in the middle of the winter with a celebration of our heritage and our history in the celebration, as I cite, of the birthday of Sir John A. Macdonald.

This debate goes back prior to 1981. I have some news clips of advocates for a statutory holiday to celebrate Sir John A. Macdonald's birthday. A lawyer by the name of Harvey Haber, who lives in my neighbourhood and just outside the riding boundary of Oriole, has been an advocate for many years to recognize Sir John A.'s birthday as a statutory holiday in January. Whether it is in January or in February, it certainly seems to me that it would be an appropriate celebration and a chance to celebrate our cultural diversity.

In January 1983, the Toronto Star called for a Macdonald Day celebration. Whether we call it Macdonald Day, Sir John A. Macdonald's birthday, or Heritage Day—and I would remind you that we celebrate Queen Victoria's birthday in May and it happens to be very close to my own birthday so I'm always aware of the Queen's birthday; we know that's a good excuse for a celebration in this country—I support the idea but would like to see it go to committee so it could be discussed further and not just be viewed as a Rae day.

Mr George Mammoliti (Yorkview): I'm actually very happy to have the chance to stand up today and talk a little bit about Bill 2. Heritage to this member is very important. Heritage to my family is very important. Heritage to my community is very important. Heritage means a lot. To every person in society, it means something different.

I think that people need to respect heritage. This bill, and I am going to support it, clearly tells me that there are some members across the floor who do respect heritage and who believe there should be some sort of celebration in terms of heritage.

I could never understand why heritage has never been a part of other holidays that we celebrate during the year. While we take other days off in government and other days off in the communities, I could never understand why heritage was never a part of it.

Why aren't we celebrating heritage? Why aren't we celebrating our history? That's what it's all about. Why don't we take that time to reflect upon our roots, our ancestors, our families? Why don't we as a government say, "Enough is enough," and as a House say, "Enough is enough; let's talk about our heritage; let's think about our heritage?"

I'm going to support this bill, but I want the member to remember one thing: There will be a cry out there. There will be people who will say, "No more holidays for government employees." They'll say, "Without pay." I

want you to remember that. I don't necessarily agree with it. I think everybody should reflect on heritage, but remember that there will be some flak on this. There will be some people, even in your own caucus, who say: "Don't do this. We don't need another day of rest in government."

I understand that I have a colleague who wants to say a few words. I'll be supporting it.

Ms Margaret H. Harrington (Niagara Falls): I want to bring to your attention very briefly the importance of heritage to tourism. As you know, I represent Niagara Falls, which is a natural resource and natural wonder of the world, but it is also heritage, and very many people don't recognize this. When you think of tourism anywhere, it basically is heritage and natural resource. Those are the two important things.

I think in this House we would all agree that the appreciation of heritage is not just one day but must be appreciated as part of our economy. It must be an economic viability.

I want to point out that Niagara is a very historic area. For instance, the Battle of Lundy's Lane: A new book just came out last week by Don Graves from Ottawa, explaining the battle of Lundy's Lane. I recommend it to you. There is also a historic site called the Chippawa Battlefield which is now being developed by members of our community, by the municipality, by international interests as well as provincial and federal levels of involvement. So it's a very exciting thing.

I want to say that heritage in the future should be more a part of tourism, especially in the Niagara area.

The Acting Speaker: The honourable member for Simcoe East has some time to sum up.

Mr McLean: First of all, I want to thank the members for Peterborough, Eglinton, Lanark-Renfrew, Kingston and The Islands, Orillia, Yorkview and Niagara Falls for their comments and support for Bill 2, the Heritage Day Act.

The issues that have been brought out here this morning of the importance of remembering our heritage should never be forgotten. There are probably few families that have done the family tree and gone back and researched, through history, where they have come from. Our family came from England and Scotland in 1832 and settled in Oro township, probably totally bush at that time. In the early 1900s, my father took wood to the then village of Orillia with a team of horses and a sleigh for a \$1.25 a cord. This is some of the heritage I have and that I remember. My grandson will be the seventh generation, I hope, that would have farmed in Oro township.

Many of the people who came to this country worked the land and lived off the land. So I say there are a lot of people who have not gone as far back as some of us have, and my family tree goes back to the 1700s. This is just part of a little history of some heritage that we shouldn't forget.

There have been some private members' bills that have passed in this Legislature. I remember when Mr McClellan sat in this seat here some years ago in opposition and brought in a bill that would extend daylight saving time,

a very worthwhile bill that did change society in Ontario to a certain extent, that made daylight saving time about a month longer. Dianne Cunningham initiated a bill with regard to bicycle helmets. The government has taken over the thrust of that bill and has made that into law. I think this bill is just as important as any of the other bills that have passed in private members' hour, because of our heritage.

There is one thing we should not forget. From January 1 to Easter, there has been no time off. The member for Niagara Falls made a very important point when she talked about the tourism aspect. The ski resorts that we have, the outdoor sports that we have now and the way people would like to travel now in the winter would be a great boon, I think, to our tourism industry. But not only that, the main importance is that we do not forget our history and our heritage.

I would hope that the members of the government would see fit that this bill could be recommended to go to committee to have a further in-depth look and some input from people across the province. We look at the poll that the Toronto Star did, which indicated over 90% of the people thought that the third Monday in February would be a good time for a heritage holiday. I agree with them, and I will hope that every member would support this. I thank them for that support.

The Acting Speaker: This completes the time allotted for private members' hour.

CASINO GAMBLING

The Acting Speaker (Mr Noble Villeneuve): We will now be dealing with ballot item number 35, first introduced this morning at 10 o'clock by Mr Kwinter.

Is it the pleasure of the House that Mr Kwinter's motion carry?

All those in favour please say "aye."

All those opposed please say "nay."

In my opinion, the nays have it.

Call in the members. A five-minute bell.

The division bells rang from 1202 to 1207.

The Acting Speaker: Would all members please take their seats. We now shall deal with Mr Kwinter's resolution, ballot item number 35, private member's notice of motion number 30. All those in favour of Mr Kwinter's resolution, please rise and remain standing until recognized by the clerk.

Ayes

Arnott, Bradley, Brown, Caplan, Cunningham, Johnson (Don Mills), Jordan, Kwinter, McClelland, McLean, Miclash, O'Neill (Ottawa-Rideau), Offer, Phillips (Scarborough-Agincourt), Poole, Ruprecht, Sorbara, Sterling, Stockwell, Wilson (Simcoe West).

The Acting Speaker: All those opposed to Mr Kwinter's motion, please rise and remain standing until recognized by the clerk.

Nays

Abel, Akande, Bisson, Carter, Cooper, Dadamo, Duignan, Ferguson, Frankford, Haeck, Hansen, Harrington, Hayes, Hope, Huget, Johnson (Prince Edward-Lennox-South Hastings), Klopp, MacKinnon,

Malkowski, Mammoliti, Marchese, Martin, Mathysen, Murdock (Sudbury), O'Connor, Owens, Sutherland, Waters, Wessinger, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood.

The Acting Speaker: The ayes are 20; the nays 34. I declare the motion lost.

HERITAGE DAY ACT, 1993

LOI DE 1993 SUR LE JOUR DU PATRIMOINE

The Acting Speaker (Mr Noble Villeneuve): We shall now deal with Mr McLean's ballot item number 26, the second reading of Bill 2. Are there any members opposed to a vote on Mr McLean's private member's motion? Is it the pleasure of the House that Mr McLean's bill carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

Mr Allan K. McLean (Simcoe East): I ask that the bill go to the standing committee on general government for further consideration.

The Acting Speaker: Do we have consensus that the motion go to the general government committee?

All those in favour of going to general government, please rise and remaining standing. We will get a consensus.

We do not have a consensus, therefore the motion will go to committee of the whole.

It now being past 12 of the clock, this House stands adjourned until 1:30 of the clock this afternoon.

The House recessed from 1212 to 1330.

MEMBERS' STATEMENTS

SOCIAL ASSISTANCE

Mr Tim Murphy (St George-St David): I condemn the NDP government of this province for the recent changes to the General Welfare Assistance Act, which have had a serious impact on sponsored immigrants and refugees in my riding and across the province.

People have been placed in dire straits. Their support has been cut without sufficient warning, and in some instances with no warning at all, to only \$50. This has left many people with no money to pay rent or buy food.

The devastating impact of this change has been brought to my attention by organizations like Neighbourhood Legal Services and local advocates like Kim Garvin.

The government should withdraw this regulation and redo it properly.

On a better note, I had the pleasure of attending last evening the presentation of the Ontario police medals for bravery and the firefighters medals for bravery. Each of those honoured deserves our commendations.

I wish to applaud in particular one of the recipients, who lives in my riding. Constable Todd Hillhouse received the Ontario Medal for Police Bravery. Mr Hillhouse and other police officers forced their way into a smoke-filled, burning building and rescued the people trapped inside. Constable Hillhouse said he was only

doing his job. But he is a hero doing a job in which the police and firefighters put their lives on the line for each of us every day.

The stabbing of Detective Constable Bruce Ward last night is an example of how difficult a job it is. Constable Hillhouse and Constable Ward need the assistance of this government, because as police numbers are reduced in areas like Regent Park in my riding it will only make a dangerous job more so.

CHILDREN'S SERVICES

Mr Allan K. McLean (Simcoe East): My statement is for the Minister of Community and Social Services and it concerns the government's most recent funding for children's services.

Foster parents like Isabel Seguin and Margaret Smit of Orillia and Shirley Black of Brechin have written to me to express their outrage over your government's plan to claw back a portion of the federal children's special allowance. This money is given to parents by Ottawa to offset some of the costs of raising children. This money has been traditionally collected by children's aid societies for the children in their care.

You and your government did not consult with your own staff or with the children's aid society when you were developing this plan to cut budgets. You know from your own directives that the CAS budgets have already been cut to the bone, and now you want to claw back money needed for food, clothing and other basic needs of children in their care.

Your government is penalizing foster parents who are faced with the challenge of fostering emotionally hurt, neglected and abused children daily. How can you justify reducing rates for foster care when foster parents in Simcoe county have not received an increase in three years?

I cannot accept measures which directly hurt children. Your government's move to claw back the special allowance is outrageous, insensitive and irresponsible.

LANDFILL

Mr Jim Wiseman (Durham West): I know that many people in this House are anxious to know my view on the IWA's announcement that it has chosen one of its technically preferred sites in my riding in the town of Pickering.

Some history of this is important. Durham region had five sites identified and walked away from this site process when this government determined that the process for P1 was wrong. The province took over a bad situation and did the best possible, including the 3Rs. I believe it was the right thing to do, to pull the exemption on P1, because it was clearly arbitrary and would have seen Metro's garbage come to Pickering once again.

I am not pleased with the fact that Pickering will be host to yet another dump, even though it will not be host to Metro's garbage. The current dump in my riding, Brock West, is a menace and no community should have to put up with a continual barrage of negative impacts so that people living in other jurisdictions can have a more comfortable lifestyle.

I made all these points to the IWA, as many people

have. However, they are at arm's length from politicians, and I believe that politicians should not choose the location of dumps, as the previous government's Premier did.

Interjection.

The Speaker (Hon David Warner): Order.

Mr Wiseman: Where do I go? I don't go anywhere. I continue to do what I did before I was elected and since I was elected and will continue to do. I will work closely with the community, especially Pickering Ajax Citizens Together for the Environment, the mayor's task force and the mayor of Pickering. I will help them in any way I can to ensure that this process is followed fairly and adheres to the Environmental Assessment Act.

I was elected by my community, I respect their rights and I will work to ensure that their rights are protected.

JOSEPH LABELLE

Mr Carman McClelland (Brampton North): I join with a number of my colleagues in recognition of individuals who reside in our ridings who have been recognized for their bravery, those firefighters and police officers who have literally stood in harm's way on our behalf.

I note that my friend the member for St George-St David paid tribute to an individual who lives in his riding who, together with Constable Joseph Labelle of the riding of Brampton North, on the night of January 21, 1993, ran into a burning building and in so doing saved the lives of other people.

I think it appropriate that we pay tribute to these individuals and I want to publicly recognize the contribution of Mr Joseph Labelle and the fact that he was a recipient for a medal of bravery, pay tribute to him and in so doing, pay tribute to the many, literally thousands, of women and men who put their lives on the line for us every day. We wish them continued success and God's blessing and care on their lives, and thank them for what they are doing.

I pay tribute and offer my personal respect to M. Labelle and his family and trust that he will know that our thoughts are sincere in extending to him every congratulation and best wish on the receipt of this prestigious and well-deserved award.

TIMISKAMING LAND DISPUTE

Mr Leo Jordan (Lanark-Renfrew): This statement is for the attention of the Minister of Natural Resources. Since 1973, 10,000 square kilometres of land in Temagami have been frozen while negotiations were held between the government and native people who have claimed that land.

Last weekend the Teme-Augama natives rejected the most recent offer of settlement. This band flatly rejected the province's offer of \$15 million and 300 square kilometres of land after four years of negotiation and several extensions.

Hundreds if not thousands of jobs rely on the natural resources which are frozen due to this caution. The province has now spent hundreds of thousands of dollars supporting this process and numerous businesses have already gone bankrupt because of it.

I am pleased to see, according to today's report in the Globe and Mail, that the minister has finally decided to pursue the lifting of the land cautions through the courts. We hope this action on the part of the government provides some optimism for the people who depend upon the resources of the Temagami region, and we look forward to the future creation of resource-based jobs in Temagami right through to Lanark-Renfrew.

PLAINS ROAD CHILD CARE CENTRE

Mr Gary Malkowski (York East): Yesterday I had the pleasure of attending the grand opening of the Plains Road Child Care Centre incorporated in my riding of York East. This is the first child care facility in Metro Toronto that has converted from a private to a non-profit agency.

The actual conversion occurred September 1, 1993. The new centre, located at the Canadian Martyrs school, employs nine staff and has a licensed capacity for 54 children ranging in age from 18 months to 10 years old.

The conversion of this child care program allowed the East York community to retain child care spaces. If the conversion had not taken place, the former commercial program was going to close. There would then have been a loss of child care spaces for children and families living in East York.

To date, 32 child care operations have converted to non-profit management, which represents more than 2,100 child care spaces. These conversions are the result of our government's commitment to the delivery and accountability of child care services within the non-profit sector.

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BUSINESS AWARDS

Mr Frank Miclash (Kenora): Over the past month business leaders throughout northwestern Ontario have been honoured for their impressive contributions to the economic prosperity of both their individual communities and the province.

On October 28, business leaders of the Nishnawbe-Aski Nation gathered in Thunder Bay for the third annual Nishnawbe-Aski Nation business awards banquet. Noreen Peters of Pikangikum was named Business Woman of the Year for her successful business selling yard goods and craft supplies in her community, and Thomas Grey of Cat Lake was honoured as Business Man of the Year for his hotel, taxi, outpost camp and aircraft operations.

On the same night in Kenora, the Kenora Chamber of Commerce held its annual business awards ceremony. Award recipients for 1993 were Woody Linton of Crime Stoppers as Executive of the Year; Charlene Hall of Fusion North as Entrepreneur of the Year; Elizabeth Campbell of the Book Store as Young Entrepreneur of the Year; Bowman Electric Ltd as Company of the Year, 1 to 20 employees; and Devlin Timber as Company of the Year, 20-plus employees.

Finally, it was with great pleasure that I joined my leader, Lyn McLeod, and my northern colleague Mike Brown and over 500 northern business leaders at the northern Ontario business awards dinner on November 4 in Thunder Bay.

This year's top northern Ontario business awards honour was for a business of 20-plus employees and it went to Bearskin Airlines of Sioux Lookout in my riding. This is an operation that started as a very small operation in the small community of Bear Lake and has now progressed significantly.

On behalf of all members of the House, and especially the members of the northern caucus, may I offer my sincere congratulations to all the award nominees and winners for the superior work they have done in their communities throughout the north.

WCB PREMIUMS

Mr Noble Villeneuve (S-D-G & East Grenville): Once again it's necessary to call attention to the ways in which the Ministry of Labour is trying to drive agriculture not only out of the province but out of business. When it isn't minimum wage increases or labour relations, it's massive increases in workers' compensation rates. The 1994 rates are proof that the WCB is certainly out of touch. For the agriculture and food industry, most rate changes run far in excess of inflation.

For farms, there are substantial increases: livestock farms up 8%; fruit and vegetable up 8.5%; mushroom farms up 16.5%; veterinary and agricultural services up 13%; landscaping and related services up 25.5%. On the food processing side: poultry products up 14%; fruit and vegetable products up 7.5%. In retail and wholesale food: retail up 5.5%; specialty food stores up 10%; agricultural product sales up a full whopping 26%. Enough is enough.

Instead of looking at itself and its rulings, the WCB thinks it can keep hiking rates. Just as the Liberals did, the New Democrats think they can keep raising taxes. We all pay: producers, processors, transporters, retailers and of course consumers. We're all consumers. That's not the case with agriculture and the processing of food. The farmer and the producer are not at fault. We have very much bureaucracy and taxes, much to blame for these increases.

MEMBERS' HOCKEY GAME

Mr Randy R. Hope (Chatham-Kent): We've heard the public and inside this House make statements like: "Politicians are skating on thin ice." "How is the minister going to stick-handle that issue?" "The government is offside on that issue." Even you, Mr Speaker, have given penalties and even ejected members from this House.

Well, MPPs against the NHL Oldtimers will be taking place in the city of Chatham, at the Chatham Memorial Arena, this Saturday evening, where we will have an opportunity to face off and where the politicians will have the ability to use their stick-handling ability and their skating ability on thin ice, to do it in the arena.

We'll be playing people like Paul Henderson, who, we all remember in 1972 against the Russians, got the winning goal. We'll also be playing against members like Andy Bathgate, Billy Harris, Keith McCreary, Mike Pelyk and others. Normie Ullman will be there to be a part of this process.

This process and the proceeds will be going to the Make A Wish Foundation, which is a program that's put together by the Woodstock Institute and Sertoma Health

Centre. It is to help young people in our community in the east end and also to revitalize the community itself.

Mr Speaker, I enjoin you, other members and the public to participate in this event by buying tickets in advance for \$7 or at the door for \$9 for adults, and for children under 12, \$5 in advance and \$7 at the door. We hope we will see you and other members there. You will also get the opportunity to see the Premier use his stick-handling ability in scoring goals for us.

STATEMENTS BY THE MINISTRY AND RESPONSES

ONTARIO LEAD INVESTMENT FUND

Hon Frances Lankin (Minister of Economic Development and Trade): I rise today to tell the House about a unique new partnership between government and the private sector, a new \$70-million venture capital initiative called the Ontario lead investment fund, OLIF.

I've just returned from a press conference during which the Premier, the Minister of Finance and I were joined by representatives from our leading financial institutions to officially launch the fund. The fund will be an innovative arrangement between the government and the private sector, working together to promote investment, economic growth and jobs in Ontario.

As the Premier said recently, to renew this province and this country requires a common effort, a clear recognition that no group or institution can do it alone. The development of the fund reflects this recognition.

With the Ontario lead investment fund, our government acted as the catalyst in bringing financial institutions, some of which have had little history of cooperation with one another, together to establish this much-needed source of venture capital and expertise. To quote the chairman and CEO of Bank of Montreal, Matthew Barrett: "This new financial institution will be the first major public-private venture capital initiative in Ontario that includes Canada's major financial institutions. It will be the first 'fund of funds' created in Canada's venture capital market."

I'd like to take a few minutes to give you a history of this initiative, I'd like to explain why we believe its development is crucial to ensuring that Ontario is prepared to meet the demands of the new economy, and I'd like to briefly outline how the fund will operate.

The idea for the fund was first made public when we released our industrial policy framework in 1992. The industrial policy described the need to develop Ontario's innovative growth firms. These firms are typically small or medium-sized companies with a home base in Ontario which have a track record of exceptional growth. They are firms with the potential to provide new jobs and more growth in the years ahead.

These firms realize that to succeed in the 1990s, new ways of doing business are required. They're developing new products, new ways of organizing production processes, innovative management of technology, creative marketing and original design ideas, all of which require capital and expertise.

As a government, we need to encourage the creation and growth of these companies, we need to find ways to

meet the challenge of increasing global competition and we need to facilitate the move to a higher value added economy. That is how we are going to create, in the long run, new long-term jobs here in Ontario. We believe that OLIF achieves a very big first step in meeting these objectives by providing expertise and more long-term capital to innovative growth companies.

Last year, a private sector advisory committee was established to help design the fund. Through consultations with business, the financial community and labour, the committee finally agreed on a few key principles.

First, they pinpointed the need to design a vehicle to make long-term equity investments in innovative growth companies, particularly knowledge-based companies. Second, they recognized the need for a structure that would be arm's-length from government and that wouldn't create a big bureaucracy. Third, they highlighted the need for a structure that would maximize strategic partnering in the economy and cooperation among key stakeholders. Fourth, and perhaps most important, a structure was needed that linked specialized expertise with new pools of capital.

This is because many young companies on the threshold of expansion lack the depth and breadth of management to meet all of the challenges involved in growing to meet their full potential. We needed to ensure that specialized expertise and capital went hand in hand. That's where OLIF comes in.

The fundamental objective of the Ontario lead investment fund is to allow capital and expertise to flow to innovative growth firms that have the potential to produce jobs and superior long-term returns. OLIF will pool funds from the Ontario government and major financial investors on a 40%-60% basis. It will be jointly run by all of its investors, with no single institution, including the government, holding a controlling vote.

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OLIF will be a fund of funds. It will promote and be the lead investor in a number of individual expert investment corporations, EICs, that will be formed to invest in specific business areas. These EICs will make direct investments and provide specific technological, market and management expertise to the companies in which they invest.

Our fund complements, and does not duplicate, existing private sector financing. That's why it focuses on Ontario's small and medium-sized knowledge-based growth firms. These are the companies that currently do not have readily available access to funds on reasonable terms and in the amounts required. Such firms are found in various sectors of the new economy, including health, biotechnology, energy and environmental technology, telecommunications and information technologies.

OLIF will encourage strategic partnering and cooperation. It will bring together major financial institutions and the Ontario government to jointly make investment decisions, and it will encourage new teams to form EICs, which may involve corporations, venture capital companies, universities and investment managers.

As Gordon Cheesbrough, chairman and CEO of

ScotiaMcLeod, said earlier today: "The OLIF will encourage new partnerships that can bring the specialized expertise needed alongside capital to help grow Ontario companies successfully. We expect that it will become a key source of venture capital for Ontario."

When the fund starts making commitments to EICs, it will leverage at least \$6 of private funding for every dollar of government money invested. This kind of effort will go a long way to supporting the growth of new jobs and new industries in this province.

This is a long-term investment. It balances the many immediate job creation investments that we have launched over the past months, including Jobs Ontario and our infrastructure initiatives, and it demonstrates that, together with our partners in business, in labour and in communities across the province, by that partnership we are making the investments required to put Ontario back to work.

Mr Monte Kwinter (Wilson Heights): I welcome the announcement of the minister. I think the investment fund is an idea with some merit, and I think it's important that Ontario channel the province's savings into high-growth, high-tech companies. Setting up a partnership with private sector banks and investment firms makes sense.

Having said that, let's deal with the reality and let's deal with the climate in which this has been announced. In April 1992, this government announced, as a real cornerstone of its industrial strategy, that it was going to be starting this Ontario investment fund. It was to have a \$2-billion capital fund that was going to be funded over five to seven years. If it had been funded over seven years, it would have averaged \$285 million per year, a fairly significant amount of money that would have truly been a major cornerstone of any industrial policy.

So what are we getting? We're getting an announcement today by the government that instead of the \$2 billion over five to seven years, they're going to have \$70 million over 10 years.

Hon Ms Lankin: Just in the lead investment fund.

Mr Kwinter: Well, we got that. So what you're talking about is \$10 million a year, to be shared 60-40 with the private sector and the public sector. That is not very much.

The other reality of the situation is that this all has to be done in Bob Rae's economy. This has to be done in a time when the kind of innovative companies that could benefit from this are not interested in Ontario. They're not interested because of the oppressive labour legislation, the oppressive tax regime that has been brought in and the mismanagement that has been shown by this province.

Let me tell you one other thing. If you take a look at the Working Ventures Canadian Fund Inc, a fund that has been around for five years and gets heavily tax supported by the provincial government, they had a fund of \$146 million, and they have only been able to invest \$6 million of that \$146 million. That is a combination of the environment that has been created by this government; it is a combination of the lack of confidence that people have in participating. The sad part about that fund is that most of

its revenue is coming from keeping the money in the bank and getting the kind of interest that it gets, so it has less than a 4% return on its investment.

The private sector participants are to be congratulated in participating, but let me tell you that they will not be checking their fiduciary responsibilities at the door, and when they get involved, they still have an obligation to their shareholders. They have an obligation to make sure that the funds that are going to be invested will be invested in vehicles that have an opportunity of not only promoting the wellbeing of Ontario but getting a return and making sure there's some element of success. Until this government changes its policies, until this government comes up with a true industrial policy, a policy that encourages innovation, encourages investment, encourages research and development, there will not be any vehicles in which to invest.

When we have a program whose initial concept was so poorly received that the government has had to scale it down so dramatically and to find that the original target participants, the public sector pension funds, are not interested in participating, we have a fund that I hope and I wish is successful; I truly do. I think this would be wonderful if it were to happen. But given the difficulty in getting it off the ground, given the fact that it has been so severely downsized and given the fact that the 60% control is going to be in people who I'm sure have every intention of making this thing work but who are still going to have to answer to their shareholders and make sure their investments are prudent and safeguarded, I have concerns.

The last thing I'd like to do is to hope that the selection of the name does not turn into a prophesy. I think it was ill conceived to call this the Ontario lead investment fund. History may show that the pronunciation will be the Ontario lead investment fund, because this thing has sunk like a rock and like a lead balloon. I hope that doesn't happen, but I can tell you that under the stewardship of this government, it has every prospect of having that happen.

Mr Gary Carr (Oakville South): I'd like to put this in some perspective. They're talking about \$70 million. The gross domestic product of this province is about \$285 billion. Quite frankly, Minister, what you're doing is worrying about mice in the basement when there are elephants on the roof.

I have spent the last couple of days going around this province, talking to small businesses with my colleagues from Waterloo and Wellington. I want to tell you, the anger and frustration out there of small and medium-sized businesses towards, quite frankly, governments at all levels and of all political stripes is unparalleled.

I say to you that some of the things we heard out there are, "Why did you introduce, at a cost of \$10 million, the corporate filing fee?" I say to this minister, you're going to give \$70 million? You got \$10 million from the private sector in the corporate filing fee. Where were you when that program came in? You said nothing when the Minister of Consumer and Commercial Relations came in. Where were you when the letters went out which basically said, "If you don't pay this, we're going to put you

out of business"? Where were you as the minister when that program came in? You said nothing.

Where were you when the WCB increases that we heard from people were anywhere from 3% to 75%? No statement in the Legislature about that. Where are you when the Minister of Labour is killing jobs with his WCB policy? Nothing from this minister.

We heard about the minimum wage, story after story of jobs being lost because of the minimum wage. When the Minister of Labour again is out there again killing jobs with the minimum wage, where were you? You said absolutely nothing.

Some of the other things we heard about are the tax increases: last budget, \$2 billion. That killed 50,000 jobs. Where were you when that budget came in and 50,000 jobs were lost?

There's one other thing I'd like to point out. Matthew Barrett, whom they champion today, said this: "So for me, further tax burdens could make our problem worse competitively. There is no sense trying to tackle one problem while making the other one worse." Why don't you listen to Matthew Barrett, who says we don't need any more tax increases in the province of Ontario? Your last budget killed 50,000 jobs and you said nothing.

Some of the other things we heard about as we went out there this morning—and the minister was not here to hear that; she was down at the press conference. The certified general accountant said today, in the Finance ministry: "We tell people: 'Don't go out and source the government programs. You spend more money paying us accountants to source these programs than you get from the government.'"

One other thing we heard as we were out there: At Randall Klein Design out in London, 28 people are now unionized because one person in that particular shop wanted a union and got it certified. Out of the people who were there—we talked to them—26 people don't want a union. As a result of your Bill 40, they now have a union. They're certified. Bill 40 has done more to kill jobs in the province of Ontario than this little piece of legislation will do, and this minister said nothing on that.

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This government talks about the challenges of competitiveness. There has been no other government in the history of this province that has done more to kill jobs and to kill the competitive spirit than the socialist government under Bob Rae, and this minister has said nothing.

If I were to sum up what I heard, there was a chap one night at the meeting and he said this: "The province of Ontario was a great place to live, but the province of Ontario's a terrible place to do business under the NDP." Quite frankly, I agree, and the only solution isn't these programs that come in from this minister; it's to stand up and get rid of this government. That's when we'll create jobs and that's when the people of this province in the next election are going to turn around and show them what they think of this minister who has done nothing for the businesses in the province of Ontario.

Mr Chris Stockwell (Etobicoke West): There's a

much-ballyhooed announcement about a \$70-million expenditure, some of it coming from the private sector.

Do you realize in the first year of the operation of photo-radar they're going to generate \$200 million? Two hundred million dollars taken away from taxpayers in this province by photo-radar and they have no ballyhooed announcement about the costs of photo-radar on the people of this province, not a nickel put into road improvement, not a nickel put into better policing to protect people, not one more drunk driver pulled over and stopped, but they want to announce \$70 million—

The Speaker (Hon David Warner): Will the member take his seat, please. It's not related to the announcement which was made.

ORAL QUESTIONS

HEALTH CARE REFORM

Mrs Barbara Sullivan (Halton Centre): My question is to the Minister of Health, who was here half a second ago. Mr Speaker, may I ask that the clock be stopped while we're waiting for the minister to come into the House?

The Speaker (Hon David Warner): We'll start all over. Just hold the clock. We'll reset it in the interest of an excellent atmosphere here this afternoon. Will the member now pose her question.

Mrs Sullivan: Again, my question is to the Minister of Health. Last August, you signed an agreement with the Ontario Medical Association that provides an unprecedented approach to our medicare system because it puts medicare on the bargaining table.

The agreement provides that the Ontario Medical Association will take a package of medical services worth \$20 million to the table with the recommendation that those services be removed from medicare. The government will also take its own package of medical services to the table with the recommendation that those services be removed from medicare. A chair and six other people will decide what the final delisting recommendation will be.

My question to the minister is, have you made a decision about who the chair of that committee will be, of who will head this duopoly and be in charge of medicare bargaining? Who is the chair of that committee?

Hon Ruth Grier (Minister of Health): I regret to have to tell the member that I do not at this point remember whether I'm at liberty to tell the House yet whether the chair has been confirmed or not. I can assure her there have been discussions about a chair. Whether the person involved has been informed and the discussions completed or not, I'm afraid I don't know at this moment. I will endeavour to find out. If in fact the person and number of people whose names have been discussed by both ourselves and the OMA have been informed and it is appropriate to make a public statement, I will do so later today.

Mrs Sullivan: This is one of the most offensive steps that has been taken in the history of medicare, placing medicare on the bargaining table in a bilateral situation as is occurring here. Seventy-nine days have lapsed since the agreement was signed. The package was due 30 days

after the ratification of that agreement. People want to know who is deciding their health care future. It is unacceptable for the minister to say that she's unsure if she is at liberty to tell them.

My next question is, who are the other members of this bargaining team and how were they chosen?

Hon Mrs Grier: I find myself amazed at the approach by the critic for the official opposition. Earlier this year, when we were talking about better management of the health care system, we proposed as part of our expenditure control plan that a number of procedures that had been covered under OHIP and which were not generally seen to be critical to health care, and I'm talking about removal of tattoos, for example, might be delisted from OHIP as part of our efforts to better manage the system and contain the costs.

There was uproar. There was outrage. There were accusations that the Minister of Health was making unilateral decisions about the management of health care.

Interjection.

The Speaker: The member for York Centre, please come to order.

Hon Mrs Grier: So what did we do? We sat down with the Ontario Medical Association and we began to discuss how in fact decisions should be made about what procedures the health insurance system should cover and what procedures it should not cover. What we are doing is, for the very first time, let me say, having an open and public process and debate about what the insurance plan should cover. I would have thought the opposition might have acknowledged that, Mr Speaker, and I certainly thought they would have welcomed it.

Mrs Sullivan: Mr Speaker, let me tell you how open and public this process is. There is one day of public hearings scheduled. One day. The people of Ontario have one day to have any information or any input into the bargaining of medicare.

The people of Ontario want to know, Madam Minister, what is being bargained. What are you putting on the table? What is the OMA putting on the table? The people have a right to know, and that's my question on their behalf.

Hon Mrs Grier: Of course the people have a right to know. Of course the people will know, for the very first time. Not only will the people know, but the people will have an opportunity to come and appear before a public process and say whether they agree or disagree or whether they have better suggestions.

This is innovative, this is unique, this is progressive and this is something we are the only government with the courage to do.

The Speaker: New question. The honourable member for Renfrew North.

Mr Sean G. Conway (Renfrew North): Mr Speaker, I have a second question from the Liberal Party for our friend the Premier, but since he's not here, I'll stand it down and await his arrival, which we expect shortly.

The Speaker: Question from the third party. The honourable member for Waterloo North.

Mrs Elizabeth Witmer (Waterloo North): Mr Speaker, my question is also for the Premier and so I will stand that down until he arrives.

The Speaker: Is there a second question? The honourable member for Etobicoke West.

Mr Chris Stockwell (Etobicoke West): Mr Speaker, my question is for the Premier and I would say that I will have to stand it down till the Premier arrives.

The Speaker: We now begin the rotation. The honourable member for Mississauga West.

OCCUPATIONAL HEALTH AND SAFETY

Mr Steven W. Mahoney (Mississauga West): You'll be delighted to know I have a question for a minister who's here, the Minister of Labour. Hopefully we can get more than a one-word answer out of him.

Recently the Workers' Compensation Board made a policy decision to not extend coverage to apprentices who are part of a co-op program while they are taking their training in a community college or in an education atmosphere. Do you agree with the board's decision to cancel this coverage?

Hon Bob Mackenzie (Minister of Labour): Yes, I do.

Mr Mahoney: Yesterday he said "No." At least we got three words out of him.

Hon David S. Cooke (Minister of Education and Training): What's the question?

Mr Mahoney: Well, the question was pretty simple, we have a letter from the United—

Hon Mr Cooke: He gave you a straightforward answer.

The Speaker (Hon David Warner): Order.

Mr Mahoney: Maybe the minister of all education would be concerned about this. We have a letter from the United Brotherhood of Carpenters and Joiners of America, Local 18, from the president and business representative, Charles Calligan. Mr Calligan writes to all members of the Legislature and to Mr King regarding the cancellation of this coverage for apprentices. He says:

"Attendance at trade school is mandatory for apprentices. Carpenter apprentices, as well as many other apprentices, spend much of their time at trade school working in a shop or on an outside project. They only spend a portion of their time in a classroom. While working in the shop, they are subjected to the same risk of injury as they are on a construction site and should therefore be afforded the same compensation coverage"—coverage, I might add, which has been afforded them for the past 25 years.

"Apprenticeship training is one of the best dollar-value training methods we have. It is also one of the best training methods in the world to obtain skilled workers."

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Minister, how can you justify the Workers' Compensation Board, unilaterally with no discussion, with no input from the tradespeople in this province, taking away this coverage for these apprentices and thereby putting them at grave jeopardy where they could be injured while they're getting their apprenticeship training?

Hon Mr Mackenzie: The member knows that there have been some problems with how apprenticeship programs are funded in terms of the WCB. There is a question of the legality of it the way we're currently handling it, and that is now under review to see how we can deal with it.

ROBIN SEARS

Mr Sean G. Conway (Renfrew North): My question is to the Premier and it concerns his government's expenditure control plan. Mr Premier, you know, like all members, that as a result of that expenditure control plan the public services of this province are facing some of the most difficult times that any of us have seen in the modern period. Hospital beds are being closed, children's services are being reduced and everything and everybody that exists is being taxed.

When you announced your expenditure control plan in the spring of this year, specifically on April 23, 1993, your government announced that all Ontario's international trade offices would be closed, at a saving of \$10 million to the public treasury.

My research indicates that in fact all offices have been closed; they've been closed for several weeks, and all staff but one have been brought home to Ontario. The one person who remains overseas is your friend and former campaign manager Robin Sears, who, after his Tokyo office was closed this past summer, was granted by your government, Mr Premier, a new eight-month contract at an annual rate of salary of between \$90,000 and \$135,000 a year and for that same eight-month period a housing and living allowance of \$150,000.

My question, Mr Premier, is, what good works for the hard-pressed taxpayer of Ontario is your good personal friend and former campaign manager Robin Sears doing to earn nearly a quarter of a million dollars' worth of taxpayers' money over this eight-month period?

Hon Bob Rae (Premier): Mr Speaker, I'll refer this to the Minister of Economic Development and Trade.

Hon Frances Lankin (Minister of Economic Development and Trade): I'm pleased to have the question referred to me. I can tell you that from the calls that have been coming over the last number of months from the Liberal research, this is information that we have shared with them over the course of time, and I actually fully expected this in light of the member opposite's pursuit of issues with respect to individuals in the public service at deputy level. I think that he has very, very unfairly characterized this situation and I'm glad to have this opportunity to put the record straight.

We took the decision to close the international offices. During that period of time we indicated that there would be a transition with respect to the Asia Pacific. It's a part of the world where trade is growing; it's an area where the cultural differences make it important in terms of transition to ensure that the closure of the offices and the continuation and development of networks are done in an appropriate way.

During the last number of months we've had visits there with respect to trade initiatives. Other initiatives by the minister responsible for international trade and by the

Asia Pacific Foundation, looking at issues of Asia Pacific trade, are continuing at this point in time.

We are working with the federal government in terms of, again, transition in this area, and it has placed a very high profile with respect to the role of the Asia Pacific.

The member is wrong in saying that there has been a new contract. Both agent generals, Mr Nixon and Mr Sears, had contracts which were continuing on and we've indicated that in fact, as opposed to the order in council which would run out in 1995, Mr Sears's contract will be terminated at the end of March 1994.

Mr Conway: Let me be clear. In these extraordinarily tough and painful times, when everyone from cancer patients to public servants is facing unprecedented cutbacks, the Rae government has taken one of its best pals and former campaign managers and in these times given Mr Robin Sears a special contract over eight months from August 1 to March 31, 1994, at a salary of somewhere between \$90,000 and \$135,000, and with a Tokyo living allowance of \$150,000 for that same period. That's a total of over a quarter of a million dollars that we do not have according to the Treasurer and the Premier.

Given that, I want to ask the minister, why was it that when we called your trade office, your department, this morning to ask what we might do about pursuing some trade questions in the south Pacific and in southeast Asia, we were told not to bother or even try to contact your quarter of a million dollars a year man, Mr Robin Sears in Tokyo, but were told to contact a bureaucrat here at Queen's Park? What is Mr Robin Sears doing to earn this quarter of a million dollars' worth of public expenditure at a time when we are so broke and so strained for resources?

Hon Ms Lankin: This is the most outrageous construction of facts or misstatement of facts that I have ever heard. The member suggests that there is a new contract that has been issued at some new rate of pay. The rate of salary that has been quoted is the SMG3 rate. This is nothing different than the rate of any agent general and the rate that was being received. The amount is prorated for the amount of time left from August to March. In fact, it is less than a year's salary.

Interjection.

The Speaker (Hon David Warner): Order. The member for York Centre.

Hon Ms Lankin: As to the statement that these living expenses are somehow extraordinary, this is a rate that is based on the federal government's foreign service allowance for apartments in Tokyo. We know real estate and apartment costs are very high there. The fluctuation in the yen is something that changes that rate from time to time, but the amount the member referred to of \$150,000 is a prorated amount for the number of months left. Again, it is the same that has been in place for all the years that this agent general and any other agent general has been in Tokyo.

I have indicated that as we brought the offices to closure, there were some staff brought back to Canada and there are some staff who have been assisted in new

opportunities where they were living and located at that time. There's some staff who are in fact are continuing to be shared with the federal government, and with respect to the agent generals, we treated both of them fairly in terms of intending to continue contracts. One has chosen to go on and do work for the federal government; the other is continuing in the transition in the Asia Pacific for a period of time until March.

The Speaker: Would the minister conclude her response, please.

Hon Ms Lankin: We have informed the agent general that this contract will be terminated in March 1994, one full year earlier than the order in council would be running out.

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Mr Conway: Six months ago, your government announced that you were closing all of these offices to save \$10 million and now we find out you've extended Mr Sears at a cost of \$135,000 in salary and a \$150,000 in living allowances.

It's almost three years ago to the day that Bob Rae said these words in this chamber as he opened the fall session following the 1990 election campaign: "Politics is about far more than what we can all get. It is also," he added, "about what we owe each other."

My question to the Rae government: How much can Robin Sears get? How much do you and the people of Ontario owe this quarter of a million dollar man, and will you not agree today to end this paid exile for your friend, your former campaign manager, someone who was affectionately known in your ranks and in this place a few years ago not as Boy Wonder but as Boy Stalin?

Hon Ms Lankin: These kinds of personal attacks and attempting to get simple, cheap—I will be interested to see how this is responded to by the media, because this will be the test of whether or not there is interest in truth and in responding to real issues, or whether we're going to go into this partisan political bull—and I won't add the rest of that.

The money that is going towards accommodation allowance—

Mrs Elinor Caplan (Oriole): Sean's absolutely right.

The Speaker: Order, the member for Oriole.

Hon Ms Lankin: —is no different than any foreign service allowance, no different than any rent that is paid on behalf of—

Mr Gregory S. Sorbara (York Centre): What about transition?

The Speaker: Would the minister take her seat, please. The member for York Centre, please come to order.

Hon Ms Lankin: The characterization is somehow that this is lining someone's pocket. This is money that pays the rent for a person who is working for us, who is carrying on the transition activities, whose contract will be terminated March 31, 1994. We are interested in the expansion of training opportunities in the Asia Pacific. We have said what we were going to do—

Interjection.

The Speaker: Order. The member for York Centre, come to order.

Hon Ms Lankin: —right from the time I made the announcement. I made it clear to people there would be a transition in the Asia Pacific because of the growth of trade opportunities there, because of the importance, culturally, of handling the transition with sensitivity.

The member has asked, will we end this practice? I will tell him that I will end it on March 31, 1994, when the contract expires, as I have indicated from day one of my announcement, one year ahead of time.

WORKERS' COMPENSATION BOARD

Mrs Elizabeth Witmer (Waterloo North): My question is to the Premier. On March 13, 1987, Ross McClellan, the former NDP MPP and currently your personal adviser, said in a committee that was delving into problems at the WCB, "The only way out of this morass, this blind tunnel, this circular labyrinth, is to take apart an obsolete system that does not serve us and replace it with a system that has the potential to work for our own benefit and the benefit of our people."

It is now six years later and nearly \$6 billion worth of unfunded liability later. Is it not time to take a very serious look at overhauling the WCB?

Hon Bob Rae (Premier): I appreciate the member's question and I will say directly to her that I've been having a series of meetings with leaders of the business community who have been working with us, as well as with leaders of the labour community, in trying to find a solution.

Mr Steven W. Mahoney (Mississauga West): You're trying to keep them in the same room.

Hon Mr Rae: The member from Mississauga, in his usually constructive way, says I've been trying to keep them in the same room and he's quite right, I have been. It's been difficult. There are very strong views on both sides with respect to the problem and with respect to the solutions. We are trying, we continue to try, to find a consensus and a basis upon which we can make real improvements to the Workers' Compensation Board.

I just had a meeting yesterday with leaders of the business community and they presented me with some proposals. I intend to study those proposals very carefully, as well as proposals that we received from the labour movement. I would hope in the reasonably near future, and I'm afraid I can't be more precise than that, to have some constructive response to the suggestions we've had.

I must say to the honourable member that I think there are, in a sense, two sets of problems. There are some very real problems right now, particularly as a result of the passage of Bill 162, that face older workers in terms of their loss of income and their position, which concerns me a great deal. I'm also very troubled by the overall financial situation in terms of the longer-term picture that faces the board. We have to turn that around.

The Speaker (Hon David Warner): Could the Premier conclude his response, please.

Hon Mr Rae: Then we have a much broader set of questions which relate to what's happened to workers' compensation generally, which I'll be glad to answer for

the member in a supplementary.

Mrs Witmer: Premier, you've indicated and acknowledged that the public no longer has confidence in the WCB. The recent rate hikes have certainly added to the lack of confidence. That's why we have in this province at the present time at least 16 school boards, including two in the region of Waterloo, that have pulled out of the WCB general fund and have set up a cooperative to insure injured workers.

Even after paying their share of the massive unfunded liability, the Waterloo region separate school board is still going to save \$1.2 million over the next three years and the Waterloo County Board of Education is going to save almost \$1 million per year.

If our school boards can save this type of money by forming a cooperative and if our injured workers continue to be compensated and receive the same benefits, doesn't this make sense?

Hon Mr Rae: I'd be interested in looking at the details of the cooperative plan that's being put forward, looking, for example, at what the benefit structure is and so on, as we look at the question of the rates.

The member raises, I think, an important question, and that is the need for us to recognize the balance that we have to find. On the one hand, we have the business community that expresses very strong concerns with WCB, as it does with unemployment insurance. They're not happy with the 3.3% prospective rise in premiums in January, which they also faced last year, and they're concerned overall with the costs of the system as well as with its efficiency.

Second, we have to deal with the concerns of a great many working people who still feel that the system is not efficient enough for them, and many of them feel that they continue to be treated unfairly and to be unfairly excluded in terms of what coverage they have. We've been working trying to find a consensus. We continue to do that.

I can tell the honourable member that we are determined to deal with the situation and to make sure that the board is set on the right path in terms of its governance, in terms of its financial accountability, which we think is important, and also in terms of the way in which it treats its employees. Those are the three areas in which we continue to want to find a solution, and we're going to keep working at it.

Mrs Witmer: Premier, this co-op is operating extremely efficiently. In fact, when the Waterloo county board was part of the schedule 1, it was paying an average of almost \$1 million more in premiums each year than it was in accident claim costs. Part of the reason these boards have left schedule 1 is because this year again they were facing a rate hike of 13%. This is what's happening across the province. Industry, school boards and municipalities are devastated because of the mismanagement at the WCB, and fortunately school boards have the option. What they've done is they've moved to this self-insurance plan. It simply makes good economic sense.

The boards believe also—and I think this is important

and it responds to what you've said—that if they pay directly for their accidents, it will lead to more accountability, which we don't see at all at the present time, and a greater effort towards preventing accidents.

However, I want to tell you there's a problem. Because of the panic that the WCB has at the present time and the concern that other school boards are also going to leave, the WCB has now said to school boards and municipalities and anybody else that has the option of pulling out of schedule 1, "You cannot do so."

The Speaker: Could the member place a question, please.

Mrs Witmer: My final supplementary to you is this: Until we can convince you to finally overhaul the WCB system, which was suggested by Ross McClellan six years ago, will you direct the WCB to lift the freeze to allow the municipalities and the school boards to leave the WCB schedule 1? Will you lift the freeze?

Mr Charles Harnick (Willowdale): We'll give all the credit to Ross.

1430

Hon Mr Rae: I appreciate the honourable member crediting Mr McClellan with the foresight in 1986-87 to see what happened.

I would simply say to the honourable member that I have to take her question as notice and look into the circumstances surrounding the decisions that have been made and the impact that they're having. I would say to her that I am personally very concerned about the WCB situation and I've taken a personal interest in it in terms of working with the business community as well as with members of the trade union community.

We continue to search hard for solutions in terms of the overall set of changes which will make for real improvements. It hasn't been easy, but it's something we have to do.

CONDUCT OF POLICE SERVICES BOARD MEMBER

Mr Chris Stockwell (Etobicoke West): My question is to the Premier. Yesterday, in your absence, I asked the Solicitor General to suspend your appointment to the police services board of Arnold Minors. The Solicitor General refused. Police services board chair Susan Eng has called the allegations against Mr Minors very serious and has said they must be looked into.

Mr Premier, this is not just any of the many agencies, boards and commissions that you make appointments to; it is a board responsible for law enforcement in Metropolitan Toronto. To uphold the integrity of that board, will you today suspend Mr Minors until this investigation is completed?

Hon Bob Rae (Premier): I'm going to refer that again to the Solicitor General.

Hon David Christopherson (Solicitor General): As I stated yesterday, I reiterate again today that I am not at all planning or considering any type of action that would lead to a suspension until such time as the OPP has indeed concluded its investigations and we see what those conclusions are.

Mr Stockwell: I wish the Premier had answered, but

I will read to the minister the policy regarding the Metropolitan Toronto Police Force.

In March 1993, the Metro Toronto police set out a comprehensive policy governing the suspension of an officer. Under that policy, an officer may be suspended from duty if keeping him or her on the force would impact on the force's integrity or on public confidence in the force.

Mr Minister, clearly the board's integrity has been tainted by the allegations of Mr Minors's actions. Why will you not treat Mr Minors in exactly the same way as the police officer in Metropolitan Toronto is treated? Why the double standard?

Hon Mr Christopherson: What we have at this point are indeed allegations. What we have is an OPP investigation, and until such time as we have the conclusions of that investigation, I do not believe it's appropriate that any action be taken.

Mr Stockwell: If a police officer were under investigation, that police officer would be suspended. They would be suspended with pay until the completion of that investigation. I put it to you directly, Mr Minister: This is a member of the police services board, your appointment to the police services board, charged with the duty of upholding the law in Metropolitan Toronto. The chair of that board said the allegations are very serious. The police chief has referred these to the Ontario Provincial Police. The Ontario Provincial Police is investigating this matter.

If this were a police officer, he or she would be suspended. I ask you very clearly: If a member of the police services board should not be suspended when an investigation is ongoing, would you then suggest that any investigation into a police officer's actions by the Ontario Provincial Police would mean that he or she would not be suspended? Surely you're not suggesting that. Why, then, very directly, would a police officer be suspended when a police services board member, in the same investigation, does not receive the same treatment from your government?

Hon Mr Christopherson: The decision to suspend or not suspend a police officer is the discretionary decision of the chief, subject to the policies of that particular police services board. Therefore, discretion is used in these kinds of decisions, based on the circumstances.

I have looked at these circumstances inasmuch as there is any relationship to that process, and I do not believe it would be appropriate for me to make any decisions prior to receiving the conclusions of the ongoing OPP investigation.

MINISTRY OF HEALTH SPENDING

Mr Jim Wilson (Simcoe West): My question is for the Minister of Health. Yesterday I asked you a very direct question about four of your ministry employees who had their Toronto living accommodations subsidized by the taxpayers of Ontario. Because you failed to answer the question at that time, I'm asking it again.

Your own internal audits show that the public was footing the bill for living accommodations for senior Ministry of Health officials to live close to their work in

Toronto. You've now had a chance to look at the findings of these internal audits. How much did it cost the taxpayers of Ontario to furnish these four bureaucrats with apartments in Toronto?

Hon Ruth Grier (Minister of Health): First of all, let me say to the member that these were not accommodations for people living in Toronto. They were accommodations for one person who was seconded to work in Toronto from Sudbury for a period of time and for others who worked both at the ministry in Toronto and in our offices in Kingston. The decisions that were made were believed to be the most cost-effective way of providing accommodation for these people while they were working in Toronto.

In response to the question that the member raised yesterday, let me assure him that none of these arrangements is remaining in effect; they have all been changed.

Mr Jim Wilson: Of the four senior officials whom I identified yesterday who had taxpayer-paid living expenses for their accommodations in Toronto, two were appointed by your government and two were promoted under your government. In other words, these four bureaucrats bellied up to the trough at your government's invitation.

I very, very strongly feel, and the reason you did an internal audit was your own ministry officials felt, that these four employees whom I have identified were receiving inappropriate living expenses, inappropriate perks.

What assurances can you give to the taxpayers of Ontario that none of your remaining 12,000 employees are invited to the trough in such a disgusting way as these four employees were?

Hon Mrs Grier: I take grave offence at the way in which the member characterizes this situation. Yes, people were provided with accommodation in Toronto. The reason there are internal audits is to review internal matters in ministries, and when it is found that there is something that no longer makes sense or is cost-effective, the situation is changed. That is what has happened with respect to the individuals whose cases he raised yesterday.

I can assure him that we will continue with internal audits and we will continue to make decisions based in the best interests of trying to manage every taxpayer's dollar as effectively and efficiently as we possibly can.

LONG-TERM CARE

Mr Mike Cooper (Kitchener-Wilmot): My question also is to the Minister of Health. The question has arisen from a town hall meeting that I held recently at a residential home for the elderly and it has to do with our long-term care reform initiatives.

With the increase in rates in residential homes and facilities for the elderly there seems to be an unfairness that occurs when the spouse with the lower income still resides within the community. Often this individual living within the community experiences real hardship because of the rate increase.

Minister, what can be done to assist these individuals and what can be done to protect them?

Hon Ruth Grier (Minister of Health): The changes in the rates for long-term care that are a part of our long-term care reform initiatives are designed to make it more equitable both between homes and within homes with respect to the charges for accommodation that people pay and to recognize that there have been cases in the past where people's assets as well as their incomes were taken into account when the ability to pay was calculated. Our changes take only the income into account.

We recognize that there have been some cases where in the case of a couple, one of whom is in an institution and one of whom is not, if the person with the major share of the family income is the person who is in the home for the aged, there perhaps can be a hardship on the person who is not. I recognize that. I thank the member and the other members who have brought it to our attention. We have been reviewing that and are prepared to consider some changes, again in the interests of equity within the system.

1440

Mr Cooper: Once again along the same lines, with the increases in residential rates and also with the changes to the Ontario drug benefit plan, it seems that the \$112 the seniors are receiving now is no longer adequate. I was wondering if the minister has any plans of increasing this amount, or are there any other forms of subsidies that can be offered to these people who are living on the meagre \$112 now?

Hon Mrs Grier: The question about drug benefits related to long-term care institutions puzzles me, because anybody who is a resident in a long-term care facility is covered by the Ontario drug benefit plan for their drug benefits and will continue, as in the past, to be so covered.

CASINO GAMBLING

Mr Monte Kwinter (Wilson Heights): I have a question for the Premier. This morning I introduced a resolution in the House that called on the government to introduce an amendment to the casino legislation to ensure that under no circumstances will the taxpayers of Ontario bear any responsibility, financial or otherwise, for any shortfall or debt incurred as a result of the operations of any casinos contemplated under the act.

Mr Premier, it's very simple. It has nothing to do with whether casinos should be or shouldn't be; it's got nothing to do with that. It's a given: We're going to have casinos. All I'm saying is that it isn't a guarantee a casino will make money. Some have gone bankrupt. All I'm asking is that the legislation provide that if there is a shortfall or a debt, it shall be the responsibility of the operator and not the taxpayer.

Everybody agrees—the deputy minister agrees, members of your own caucus agree—yet when we brought it to a vote, all of the government members unanimously voted against it. Could you tell me why you're not prepared to safeguard the taxpayers of Ontario, to make sure they will bear no responsibility if there is a loss in the casino?

Hon Bob Rae (Premier): I find it perhaps passing ironic that—

Interjections.

Hon Mr Rae: I know they don't want to hear about the irony, but let me just remind them of the irony. The political party and the government which gave the people of the province of Ontario a liability of over a quarter of a billion dollars on the SkyDome, this is the party that now wants to stand up and pretend that somehow it is the great defender of the taxpayers. I find it passing strange.

There is absolutely no intention on the part of the government to enter into any kind of a SkyDome arrangement with respect to what we are going to be negotiating that's in place. That is the firm intention of the government and that is the position of the government, and I appreciate the support that we have from the honourable member with respect to carrying out that intention.

Mr Kwinter: The Premier and several of his colleagues trot out the SkyDome, as I did; they trot out Minaki Lodge; they trot out Suncor. We all agree that was something that shouldn't have happened, but that is the whole point. You're not refuting the argument; you're making the argument. All we're saying is, let's make sure that SkyDome, Minaki, Suncor and anything else doesn't happen again.

Surely if you're not prepared to put it in the legislation, there has got to be a reason, because it is a principle that is unassailable. You have said it. Surely there is no reason why it shouldn't be there unless you've got another agenda, unless you want to go down in history as saying, "You had your SkyDome; we had our casinos."

What I'm trying to do is prevent that from happening, and I'd like to know what you're going to do to prevent it from happening.

Hon Mr Rae: What we're going to do is that when the whole competitive process is completed and the contract is negotiated, which contract will be fully public and will be completely open, unlike others which we've seen—it will be a totally open process—you will see a contract that will have to provide the kind of protection for the taxpayer that you're describing. That is our intention, and that's our intention with respect to this contract.

LANDFILL

Mr David Tilson (Dufferin-Peel): My question is for the minister responsible for the three dumps, who's answering questions on the three dumps in the greater Toronto area, the minister for the greater Toronto area.

Mr Minister, you've now established the three super-dump sites. We're starting to hold hearings. The citizens of this province are starting to hold meetings as to how to deal with your policies. One was held in Caledon last night. One of the questions that is surfacing is as to when you intend to expropriate the farms and the homes in the areas of Peel, York and Durham.

Hon Ed Philip (Minister of Municipal Affairs): I didn't choose the three sites. It was a completely independent scientific process. The IWA chose the three sites. There'll be a complete environmental assessment and OMB hearings. Only after that process is completed, then will the IWA, not the government, move ahead with the process.

Mr Tilson: I think the people of the three regions will be glad to hear that.

The difficulty that I think we're all having is that your government is saying that you're going to have these three dumps in operation by 1996-97. That is a statement that is coming from your government. How in the world are you going to have proper environmental assessments and expropriations by that time if you're not going to be doing the expropriations until after proper environmental assessments have taken place, environmental assessments that should certainly take a lot longer than three years?

Hon Mr Philip: The homework has been well done. In fact, the process that was set up has shown that whereas your government took some seven or eight or 10 years to find a site, the process that was set up by this government took only two years to find three sites. That shows how successfully the process is working.

ONTARIO MUNICIPAL BOARD HEARINGS

Mr Robert Frankford (Scarborough East): I have another question for the Minister of Municipal Affairs. An Ontario Municipal Board hearing in relation to my riding was recently held in Etobicoke. A number of constituents who wished to attend and make a presentation were upset by the distance from Scarborough East. I'll be quick to add that it's not that there's anything against Etobicoke per se, which I am told is well worth visiting. What can the minister do to ensure that hearings are accessible to communities that want to present their case?

Hon Ed Philip (Minister of Municipal Affairs): The member no doubt is aware that the OMB is an arm's-length agency and that it reports to me on administrative and operational matters only.

I do, however, meet with the chair of the OMB on a regular basis. I can tell the honourable member that the board has initiated a number of changes to improve the efficiency by which it conducts its business. The board is, for instance, utilizing pre-hearings, mediation and short, informal hearing formats for less complex cases in order to deal quickly and efficiently with the concerns of individuals and of communities across Ontario.

Mr Frankford: What assistance could be provided to citizens who wish to make presentations to the OMB? The request for intervenor funding seems very reasonable to me. Is there any way presenters could be assisted in their research?

Hon Mr Philip: The integrity, the accountability and the openness of Ontario's land use planning process are certainly dependent on the ability of ordinary citizens to participate in that. That's the case in dealings with the OMB or any of the other bodies.

Often this is made difficult because of the costs associated with appearing before the Ontario Municipal Board. The member will note that the Sewell commission has proposed intervenor funding in its final report, and this may well deal with the problem.

1450

LANDFILL

Mr Carman McClelland (Brampton North): I too have a question for the minister responsible now, at least

for carriage of questions in the House for the present time, with respect to the IWA. Last Friday, the minister of dumps will know, the IWA held a press conference to release materials with respect to the three sites in the specified areas in and around the province of Ontario. A number of concerned people, including my colleagues from the third party and colleagues from this caucus, attended, as did representatives of municipalities. Specifically, the mayor of my community, Mayor Peter Robertson, was thrown out and threatened with being charged with trespassing.

Minister, you talk about an open and accessible government. We have a mayor representing a community with legitimate concerns wanting to be there to find out what's going on, and you would not provide him with the courtesy of being there together with my colleagues. Minister, how do you respond to a government that stands in its place from time to time with your stated openness and accessibility when you won't allow a mayor and colleagues in this House to have a place at a press conference of such a vital, important issue for the residents of the affected communities?

Hon Ed Philip (Minister of Municipal Affairs): I've been waiting for somebody to ask a recycling question for a long time, and finally I have a recycled question. But I'll try to answer the member. In the case of the particular mayor, and since that particular mayor calls me on practically any issue that bothers him in the least, one would have thought that if it were a major issue he would have called me on this, but I haven't heard from him on this item.

I understand that what had happened is that the IWA had scheduled the meeting, that on its schedule—and I was just trying to find a copy of the advertisement—it stated that there would be a press lockup for half an hour before the open public meeting. Everyone was invited, including the honourable member, to the open public meeting; they were not allowed into the press lockup. I understand that's the explanation.

Personally, if I had been asked my opinion in advance—and I wasn't, because the IWA is an independent organization—I would have suggested to the IWA that it have a lockup for both the press and for any elected representative who wished to go to a lockup at the same time. But they didn't do that, and that's the process that took place.

The Speaker (Hon David Warner): Would the minister conclude his response, please.

Hon Mr Philip: But I can tell you at least there was no problem of our researchers or the researchers for the IWA being accused of rowdiness at a meeting.

Mr McClelland: If the minister wants to stand in his place and make that kind of allegation, maybe he should talk to some people who were there. You wanted indeed to have a lockup. What you wanted to do was lock up people who in any way disagreed with you or were a potential embarrassment to you in your situation. That's the kind of government and heavy-handed approach that you have taken, Minister, from day one. You may think it's a recycled issue, and you may think it's funny and trite, but let me tell you that when mayors from across

this province can't have access to vital public information and are treated in the way that you treat them, you send a message, and the message is very clear, that it's your way or it's out.

Lockups of that nature are not appropriate for members or staff who are not in any way conducting themselves inappropriately but are simply there to gain information so that they can represent their communities. At the least, you owe those people an apology, Minister.

The Speaker: Could the member place a question, please.

Mr McClelland: More than that, I think that you should revisit your hand-washing on this one and take responsibility for it and deal with the IWA appropriately, Minister.

Hon Mr Philip: Mayors of this province know that we do have an open government. It wasn't this government, it was Jim Bradley, the Minister of the Environment at the time, who put garbage into Pickering and Brampton without any kind of environmental assessment. This government stopped that process. It wasn't this government that used, as the Liberals did, prime farm land to put garbage on without any kind of assessment. The former government, the government that didn't look for any alternatives, has the gall to get up here then and tell us that we are not running an open process? They had no process. We have a process that is completely transparent.

The Speaker: Would the minister conclude his response, please.

Hon Mr Philip: We even provided intervenor funding for people like the mayor he talks about.

The Speaker: New question. The member for Carleton.

Mr James J. Bradley (St Catharines): On a point of order, Mr Speaker: I think that you should allow the member for Etobicoke-Rexdale, the minister, an opportunity to withdraw clearly misleading information.

The Speaker: There was no unparliamentary language used. There certainly is a difference of opinion.

Interjection.

The Speaker: Whoa.

Hon Gilles Pouliot (Minister of Transportation and Minister Responsible for Francophone Affairs): Did you hear that, sir? "He's lying." He said that word.

The Speaker: Would the member for Lake Nipigon take his seat. I heard the unparliamentary language, as he did. I know the honourable member and I know that he will withdraw the unparliamentary language. Would the honourable member for St Catharines please withdraw the unparliamentary remark which he made.

Mr Bradley: Mr Speaker, in respect to you, I will do so, although you know my true views on this.

The Speaker: I appreciate the honourable member's withdrawal.

PARAMEDIC SERVICES

Mr Norman W. Sterling (Carleton): I have a question of the Minister of Health—who was here before. Oh, here she comes now. I'd like to ask the Minister of

Health a question vis-à-vis paramedics in the Ottawa-Carleton area.

Last night, thousands of people signed petitions in favour of establishing a full paramedic service in Ottawa-Carleton. They've already collected over some 20,000 signatures even prior to last night's activities.

The survival rate for people who have cardiac arrest outside of hospitals in Ottawa-Carleton is something like 2.4%, whereas the average in North America is about 30% in terms of survivorship. I got those figures from the Ottawa Citizen, which I presume is fairly unbiased with regard to this issue.

Madam Minister, are you or are you not going to provide the Ottawa-Carleton area with full paramedic services?

Hon Ruth Grier (Minister of Health): I'm very well aware of the desire of a number of people and groups within the Ottawa-Carleton area to have this service. We take that request very seriously and are looking at whether or not this is in fact an appropriate service to be added to the services that already exist in Ottawa-Carleton, which has a good emergency service already.

Let me tell the members of the House that a paramedic addition to emergency services is dependent upon the other links in the chain being as effective as possible, so in any approvals for extension we would want to look carefully at the entire system.

We also have in the province a number of places—Toronto is one—where paramedic organizations were put in as pilot projects, but without really any effective evaluation of whether they did in fact decrease mortality as a result of their operation. We think there needs to be a careful evaluation of a number of regions to see what the truth is and whether having paramedics would increase the likelihood of people surviving a heart attack before we make any approvals for additional services in the Ottawa-Carleton region.

1500

Mr Sterling: The pilot projects were instituted in 1983 by the former Progressive Conservative government. How long does it take to evaluate whether these particular test projects were in fact successful or not successful?

It appears to me that one of two scenarios exists. Number one is that paramedic services do save lives, which of course the proponents of having paramedics in Ottawa-Carleton would hold out. The other is that they do not save lives and therefore are a service which is not needed.

Madam Minister, if in fact you find it is the second, which it appears your Health ministry is putting forward in terms of the answers to the people in Ottawa-Carleton, that paramedics do not help the situation, if that is your stance, are you then going to withdraw these services in Oshawa, Toronto and Hamilton?

Hon Mrs Grier: The member makes the point that these pilot projects were put in place by his government in the early 1980s, and I agree. The difficulty is that the effect of this, of a pilot project cannot merely be judged by its longevity and how long the governments and the municipal governments in some places are continuing to

pay for it, but by its effectiveness in doing the job it was created to do.

Unfortunately, when those pilot projects were built in there were no evaluation components built in, so we don't really know whether they are as effective as their supporters claim or as ineffective as some people on the other side of the argument claim. What we are going to do is try to find out once and for all how effective paramedic services are, and therefore be in a position to make sound policy decisions based on sound information and data, not something that was ever a concern of his government when it was in office.

UNPARLIAMENTARY LANGUAGE

Mr Robert V. Callahan (Brampton South): Mr Speaker, on a point of order: Apparently, from your last indications in response to the member for St Catharines, it's appropriate that a person in this place may mislead this place. If a member cites the person as having misled the House, he or she can be thrown out of the House, but someone in this place can mislead the House and suffer no penalty whatsoever. I'd like your advice on that, Mr Speaker.

The Speaker (Hon David Warner): In this place, it's very helpful if members could raise points of order that are of importance to them outside of question period.

I will say to the member that indeed the Speaker has a responsibility to call to order any member who uses unparliamentary language. The veracity of statements is not to be tested by the Speaker. Those are matters to be dealt with by members of the House in orderly debate. But if language is used which is found not to be parliamentary or to cause disorder, then the member who uses such language must be called to order by the Speaker.

LANDFILL

Mr Jim Wiseman (Durham West): My question is to the Minister of Municipal Affairs. My constituents are becoming quite nervous about the way the reports about the E11 are being presented. They are nervous because the Brock West landfill site in my riding has Metro garbage in it and has had now for a long period of time.

I'd also like to point out that the reason for their nervousness is that the previous government was prepared to take garbage and put it in the pits at Kirkland Lake in a two-phase process, the first phase under the Environmental Protection Act; that they were prepared to put Peel's garbage into site 6B under the Environmental Protection Act; that they were abbreviating the environmental assessment process at P1 by using the Environmental Protection Act; and that they were prepared to put a lift on Keele Valley under the Environmental Protection Act.

My residents would like some assurance that this site at the very least will not receive Metro's garbage and that this government, if I do not have a supplementary, Mr Speaker—

The Speaker (Hon David Warner): Will the member complete his question, please.

Mr Wiseman: —is going to speed up and work on the recycling projects that are necessary to divert waste the way that Resources Not Waste presented to this House yesterday.

Hon Ed Philip (Minister of Municipal Affairs): I can guarantee the honourable member that unlike the previous government, we will not be shipping or have any part in the shipping of Metro's garbage to his community.

On the question of the—

Interjections.

The Speaker: Order. Will the minister take his seat, please. Minister?

Hon Mr Philip: On the matter of recycling, or the 3Rs, I can tell the honourable member that since we became the government in 1990, our government has invested more than \$50 million in municipal and industrial 3R activities in the greater Toronto area. The funding has gone towards the blue box recycling, towards backyard composting and a range of industrial diversion projects.

Let me give you an example. The town of Markham, the regional municipality of York and the government are pursuing a one-year, three-stream, wet-dry collection project to achieve over 50% diversion from landfill at reduced cost. That's just one of the examples of how we are working with local communities to reduce garbage and to find new forms of recycling.

The Speaker: The time for oral questions has expired.

Mr Steven W. Mahoney (Mississauga West): Mr Speaker, considering the fact that the member for Durham West is being saddled with a dump in his riding, I would ask for unanimous consent that he be allowed to ask his supplementary question.

The Speaker: Is there unanimous consent for a supplementary? I heard at least one negative voice. Motions.

Mr Chris Stockwell (Etobicoke West): On a point of order, Mr Speaker: I would just ask for the record to show that his very own House leader was the dissenting voice.

The Speaker: The member does not have a point of order. There may be some point of interest.

UNPARLIAMENTARY LANGUAGE

Mr Murray J. Elston (Bruce): On a point of order, Mr Speaker: Actually, I'm not sure it isn't a point of order that the person denying consent should be named, but that's another issue.

I want to bring your attention to standing order 13(a) in particular, which says that it is your task to keep decorum and to bring people to order. I understand that some days it is difficult, but since it is an obligation for you to keep decorum, when it is pointed out to you, sir, that some member is deliberately saying things that are not correct, that are known publicly not to be correct and yet he alleges the untrue state of affairs and suggests that a member who was in a previous position as cabinet minister—

Interjection.

Mrs Elinor Caplan (Oriole): If you check the record of what he said, you'll see that what he said was not the truth.

The Speaker (Hon David Warner): The comment by

the member for Oriole is not at all helpful. I would like to hear the point of order that's being raised. It is impossible for me to hear the point of order because of the complete disorder in this chamber, and I ask the cooperation of all members. The member for Bruce.

Mr Elston: Mr Speaker, when it becomes clear that a member in an answer to a question here alleges a state of facts which are in fact not correct and it is brought to your attention, the allegation is then one which imputes a certain state of affairs and a state of mind to a member, in direct contravention to the standing orders.

It is therefore the only avenue so far that we have had as members to defend ourselves against untrue allegations, to raise our voices and actually to stand up when the issue is extremely serious to say something that maybe is unparliamentary.

We have no protection when a minister, who has the last word in each case in reply to our questions, makes an allegation against one of the other people in this House. If it is not unparliamentary to misstate the set of facts that exists in this chamber, can you advise us all, as honourable members, how we are to defend ourselves against unfair and untrue allegations, either as to our states of mind or as to the actual affairs that have been conducted on behalf of the crown as ministers in the executive council?

If there is no way, then what but unruly conduct is left for us to try to bring to the attention of the public that the allegations are clearly and truly false?

1510

Hon Brian A. Charlton (Government House Leader): On a point of order, Mr Speaker: I have some sympathy for the concern that the Leader of the Opposition raises. On the other hand, the same essential jeopardy exists for members against whom allegations are made on both sides of the House, and I understand that.

Interjections.

Hon Mr Charlton: The point I was about to make is that what I know and what I don't know is irrelevant to the point the House leader for the opposition is making.

I understand, Mr Speaker, your dilemma in all of this. It is impossible for the Speaker of this House or any House to know in any kind of an authoritative way what is and what is not true on each and every occasion when allegations are made and/or remade or countered, as members often do in this place, and the dilemma that creates for you.

I would suggest that although it's an unfortunate dilemma we all face, we all do get faced with allegations by members from the opposite side of the House from that on which we sit and we have to deal with those allegations in the best way we can. I guess the best way for all of us to think about remedying that is thinking about those allegations that we as individuals make before they're made.

The Speaker: A point of order on—

Mr Elston: I will be brief. Perhaps, Mr Speaker, in the circumstances, it might be reasonable for us to bring to your attention that we as members have a disagreement, and that what should be done is that we should file

written material with you so that you can come back and rule later as to whether or not there has been sufficient prima facie evidence provided to you that suggests that the intention of the member making the allegations was indeed desiring to create disorder in this House.

It is against the standing orders to create disorder. It is against the standing orders to impute motives. It is against the standing orders to vilify another member. In that sense, sir, that is where I come with the point of order, because you can call other members to order and ask them to withdraw that type of language. Suggesting a state of affairs which does not exist and which is clearly to be shown does not exist, in my view, has but one design and that is either to create an impression of a vilified member's character or it is an acknowledgement of a mistake. If either of those happens, there should be an apology to the member who is affected by the intervention.

I only suggest this, sir, because I think it is becoming a real and increasingly an unfortunate state of affairs, where allegations are made which cause us a great deal of frustration and cause us a great deal of delay in the process of the House business.

Mr Chris Stockwell (Etobicoke West): Mr Speaker, I don't think there is any way, in any way, shape or form, that you as the Speaker are going to have to get involved in sorting out those kinds of issues between members in this House. I do have some agreement with the House leader for the government that it's going to be very difficult if we start referring all these kinds of disagreements between individual members to the Speaker and ask for rulings on them all.

All I would say is that if a member is knowingly misleading the House and he or she chooses to do so and then walks out of the House, we as members just simply must choose to accept that as the source from which it came.

I know what the member said. I know what the member for St Catharines responded. The member was misleading the House. If he chose to simply do so, without apologizing, and leave, then we must just consider the source. That's what I think we should do.

Mr Jim Wiseman (Durham West): On this issue, I believe that the comments I made immediately after those allegations were pretty much the same, in that when I rose on my question, I said that in fact the previous government was putting a site, site 6B in Brampton, in that community with an abbreviated environmental assessment under the Environmental Protection Act, and that I continue to make those accusations in the same way. P1 was the same, and I think it's important to understand that it's the same issue.

The Speaker: Does the member have a point of order?

Mr Wiseman: I think the minister was not misleading the House.

The Speaker: First, on the—is this on the same issue?

Mr Robert V. Callahan (Brampton South): This is on the same issue. I think I started this whole issue, and

you very quickly indicated that it was not your function to handle the question of misstatements in the House. My House leader picked it up and I think gave you some very salient points under the standing orders that would require you to do that.

I pose this question, Mr Speaker: if in fact it's not your duty to ensure that veracity is maintained in this House, I would submit that's going to create total chaos. I suggest it's probably totally contrary to the oaths each one of us swear as a member of the Legislature to be elected to this august office.

Certainly the public, if they are to have any belief in the credibility of this place, must know that what is said in here is reliable and is not misstated. The basis on which, Mr Speaker, you have rejected it, and Speakers in the past, is the fact that we are all considered to be honourable members. But if my House leader's suggestion is accepted, if you find there is a prima facie case where a member of whatever political stripe has misled the House, I suggest that member, at least for that issue, is not entitled to be considered an honourable member.

Interjection.

The Speaker: I have heard a considerable amount on this point. If it is something new, then of course I would entertain the point. The member for Brampton North: briefly, if possible.

Mr Carman McClelland (Brampton North): I think a couple of telling points. First of all, the question was asked by myself, and the allegation information was thrown at another member. I think that says something in itself in terms of the way you deal with these types of situations. You would expect that at least the interchange would be as between member to member, and not tangential to another member.

Having said that, I think that in order to clarify this, I'm going to file, according to the rules—momentarily, Mr Speaker—and I want to advise you that I'll be filing for November 23 to call the minister back to indeed canvass this further point and indicate that his answer was totally unsatisfactory, particularly to my supplementary. I'll be delighted to discuss that with him in greater detail Tuesday, November 23, pursuant to the rules.

The Speaker: The member of course will file the necessary document.

First, to the member for Bruce, I appreciate the point which he raised and the manner in which he raised it. He is right; it is very difficult for any Speaker to determine the veracity of statements. It has never been the responsibility of any Speaker to do that. It is an impossible task.

But the member is right that, should a member knowingly say something which turns out to be a cause of disorder, the result of which is that another member utters unparliamentary remarks and faces ejection from the chamber because of that, the first member is someone who must shoulder some responsibility for remarks that have been made. What is particularly troubling with respect to what unfolded here today was that the two members in question are both experienced, distinguished members of this chamber. That I find troubling in and of itself.

The member for Brampton South is right: The term "honourable member" refers to the fact that all members are considered honourable and are responsible for the statements they make in the House. That is the responsibility that parallels freedom of speech which members enjoy here so that they can speak their minds freely, without fear of reprisal. All I can ask is that all members keep that in mind and try not to make statements which will in turn be a cause of disorder in the chamber.

Again, I must thank the member for Bruce for drawing this to my attention and to the attention of the House, and hopefully we will not have to endure further incidents of this type.

1520

PETITIONS

POLICE SERVICES

Mr Larry O'Connor (Durham-York): I've got a petition here to the Legislative Assembly of Ontario:

"Whereas the Beaverton OPP station has been a long-standing, integral part of the Beaverton area; and

"Whereas many of the officers have established permanent homes in the Beaverton area and have become a strong voice for the community in volunteer and non-profit groups; and

"Whereas the OPP station provides a much-needed policing presence,

"We, the undersigned, petition the Legislative Assembly as follows:

"We demand that the government of Ontario maintain the OPP station in Beaverton," as the closure would be detrimental to the interests of the security, safety and wellbeing of all the Brock and Georgina residents, especially now that the OPP district office in Aurora is realigning the duty and the patrols of the officers who patrol those highways.

MEMBERS' PENSIONS

Mr Wayne Lessard (Windsor-Walkerville): I have a petition that was provided to me by Karen Bradie. It contains over 4,000 names. They're from Windsor and Amherstburg and from other cities and towns across Ontario, including Toronto, Niagara Falls, Harrow, Leamington, North Bay, St Catharines, London and other places as well. It states:

"We, the undersigned Canadian taxpayers, are pleading for assent of the proposed bills to reform politicians' pension plans. MPPs must act responsibly and align their pension more realistically with the private sector. Double-dipping, severance pay after voluntary resignation and collecting pensions before age 55 must cease.

"We will not support candidates who are more concerned with furthering their own personal financial interests than protecting the interests of the average taxpayer and the security and wellbeing of the nation."

I've affixed my name to that petition as well.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON ESTIMATES

Mr Jackson from the standing committee on estimates reported certain resolutions respecting supply for the fiscal year ending March 31, 1994.

INTRODUCTION OF BILLS

TOWNSHIP OF GLANBROOK ACT, 1993

On motion by Mr Morrow, the following bill was given first reading:

Bill Pr63, An Act respecting the Township of Glanbrook.

CASINO LEGISLATION

Mr Murray J. Elston (Bruce): On a point of order, Mr Speaker: Yesterday in this House we were time-allocated, or at least we suffered through a motion of closure on Bill 8, the casino bill.

The reason you do closure is that all of the material has apparently been talked about, all the debate is over as far as the government is concerned, and the business of the House is to have been finished.

Today the government has delivered another amendment to us to be dealt with in committee at a time when the amendments which were already in the committee to be dealt with under Bill 8 were considerable in number and few had been dealt with.

Mr Speaker, I want you to tell us whether or not it's in order for these people to time-allocate the bill and then dump in on top of us, as legislators, further amendments that will affect the nature of the legislation that is coming before this House. I don't know how that can be in order. If all the business has been received to be dealt with, that is one thing, but every time we turn around in this place we get clobbered with time allocation, with closure motions and the sort, and then the government brings in further amendments to the very legislation which it has limited time of debate upon.

Mr Speaker, it is an abuse, in my view, of the rights of the members of this Legislature for that type of process to carry on, and in fact I think we have a good cause to raise with you the privilege we have as legislators to be given due notice of all of the business of the House before a time allocation motion is brought here to be dealt with. In fact, after the time allocation is given, we are then given notice of further amendments to this particular bill, the casino bill.

In this case it is not just a slight amendment. This one deals with the issue of expropriation. As you may know, sir, the importance of expropriation to this province is such that we have a complete bill that deals with the relief to be given to people whose land and interests in land are taken for the public business of the province. In fact, there is a special regimen set up under which certain mechanisms are brought to play to determine the financial value of property.

In this casino bill, the expropriation issue is a major one. It in fact is key to a whole series of other events occurring in the city of Windsor with respect to the development of the casino. What is more, it is a very key item in what is going to happen to an individual citizen, the owner, who, up to the point of this bill and its passage—when that will occur, the government knows; we don't, but it will occur—has certain rights. This bill will take those away. Today we are delivered another amendment which is guaranteed to deal again with the Expropriations Act.

Mr Speaker, I wish to have you rule as to whether or not the privileges of the members have been violated by us being prevented from doing the business of this House and from having been given reasonable opportunity to have all of the business around the bills examined before time allocation and closure were brought to bear in this place.

Mr Steven W. Mahoney (Mississauga West): He's leaving too.

Mr Elston: Yes, there are other people leaving as well.

Mr Speaker, I think you should find that if the government keeps bringing these amendments into this place after it does time allocation and closure, that in fact is an abuse of process. That in fact is an abuse and an overriding of the privileges of the members of this House to be aware of all of the business with respect to any piece of legislation before indeed time allocation and closure are brought to bear in this place.

I ask you for your ruling. I just cannot tolerate any longer the fact that every time we turn around in this House, more things are being dumped on top of us after this government takes extraordinary and other actions against the regular standing orders of this House.

The Acting Speaker (Mr Noble Villeneuve): The member for Brampton North, on the same point of order?

Mr Carman McClelland (Brampton North): Yes. Very briefly, just to add to my House leader's submissions on this particular point of order, this amendment that has been given to us today with respect to the issue raised by the House leader is, I want to add, very significant in terms of its implications not solely for the one individual the House leader mentioned, but indeed a number of others; in fact, some 14 land owners.

Mr Speaker, the point is this: This is not a simple amendment. It has significant implications. I have a responsibility as critic for Consumer and Commercial Relations to represent the opposition, and indeed people in this province, on this very delicate—and, I might add, extremely contentious—matter. I don't want to be contentious in this place but I think this is of great significance. I say this cautiously but wholeheartedly, without fear of—well, perhaps with some fear from yourself, Mr Speaker.

I think it very cowardly of the government to introduce it at this point in time, because it has significant implications in terms not only of the privileges that I enjoy as a member but the responsibilities that I have as critic to deal with something that is as contentious and as sensitive as this particular amendment.

So, Mr Speaker, I would ask you to give this your very careful and serious and grave consideration.

The Acting Speaker: The member for Etobicoke West, on the same point of order?

Mr Chris Stockwell (Etobicoke West): Mr Speaker, we just received this notice from the government House leader, or from the government itself, and I don't think our House leader has even had an opportunity to read it. I would ask that you reserve your ruling on the decision until we have an opportunity to have our House leader

read it and come up here and make his appeal to you as the Speaker.

The Acting Speaker: I can appreciate the frustration on all sides of the House when these amendments come in. However, if you were to read, "...pursuant to standing order 46...all amendments proposed to the bill shall be filed with the Clerk of the assembly by 3:30 pm on the sessional day on which the bill is considered in committee of the whole House following passage of this motion."

That indeed means that when this bill refers to committee of the whole the amendments must be in. The bill has not, to this point, been submitted to committee of the whole.

Interjection: Mr Speaker, the bill is before the committee of the whole House.

The Acting Speaker: The bill is now before committee of the whole House, but it is just beginning.

1530

Mr McClelland: Mr Speaker, I want to indicate to you there have been two full sessional days devoted to committee of the whole in late September, I believe, perhaps early October. I would ask you to take into consideration that, in fact, there have already been two full days of deliberation in this House, committee of the whole, on this piece of legislation.

It may be a matter of reading and perhaps that wasn't the intent of what you stated, but if, indeed, what you said at the instant moment past is that it should be introduced before it proceeded to committee of whole, we have in fact already proceeded to committee of the whole, Mr Speaker.

The Acting Speaker: It shall return to committee of the whole and the amendments must be in prior to 3:30 on the day when it returns to committee of the whole.

ORDERS OF THE DAY

PUBLIC SERVICE AND LABOUR RELATIONS
STATUTE LAW AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT DES LOIS
EN CE QUI CONCERNE LA FONCTION PUBLIQUE
ET LES RELATIONS DE TRAVAIL

Mr Cooper moved, on behalf of Mr Mackenzie, second reading of the following bill:

Bill 117, An Act to revise the Crown Employees Collective Bargaining Act, to amend the Public Service Act and the Labour Relations Act and to make related amendments to other acts / *Projet de loi 117, Loi révisant la Loi sur la négociation collective des employés de la Couronne, modifiant la Loi sur la fonction publique et la Loi sur les relations de travail et apportant des modifications connexes à d'autres lois.*

The Acting Speaker (Mr Noble Villeneuve): The parliamentary assistant has moved second reading. Does the honourable member have some opening remarks?

Mr. Mike Cooper (Kitchener-Wilmot): It is my privilege to rise on behalf of the Minister of Labour to move second reading of Bill 117, an omnibus bill which will bring significant change and reform to labour relations in the Ontario public service.

Bill 117 consists of three distinct yet complementary parts. Firstly, we are modernizing the Crown Employees Collective Bargaining Act, more commonly known as CECBA, to bring it in line with similar laws in other provinces.

Secondly, we are expanding political activity rights for Ontario public servants so that they have practically the same freedom to take part in the political process as their counterparts in the private sector.

Finally, we are proposing to become the first jurisdiction in Canada to provide whistle-blowing protection for its employees. We want public servants who wish to bring forth allegations of wrongdoing in the public interest to do so without fear of being penalized.

It is my pleasure to begin by telling the House about the first element of Bill 117, the changes we are proposing to CECBA.

As it stands now, CECBA is a restrictive and outmoded piece of labour legislation, not only in comparison to the Ontario Labour Relations Act but also to labour laws in many jurisdictions in Canada and elsewhere.

The old law excludes many workers from all the rights, benefits and responsibilities of collective bargaining. It denies all government workers the right to strike, restricts and narrows the scope of the issues which can be bargained, and relies excessively on costly and time-consuming arbitration.

CECBA remains substantially unchanged from when it first became law more than 20 years ago. But in that same time period, we have witnessed dramatic changes in the nature of work and the workplace. The issues are more complex, making the need for flexibility and a modern act all the greater.

As both the Premier and the Minister of Labour have noted recently, the current act has hindered attempts by both the government and bargaining agents to move labour relations forward in the Ontario public service. A modernized CECBA will help us develop the better working relationships so necessary to improve both the quality of work and services government provides.

Everyone with an interest in CECBA agrees on the need for reform. It has long been desired by the government as employer and the public service unions which represent employees in the Ontario public service and affiliated crown agencies.

As a result, our reform proposals are grounded in a process of consensus between all parties that began almost two years ago.

At this point, I want to highlight some of the more important changes we are proposing to CECBA in Bill 117.

We are expanding, to the fullest extent possible, access to collective bargaining for employees in currently excluded job classifications.

About 9,000 public servants who were previously excluded will be given the right to bargain collectively. That will reduce the level of exclusion from collective bargaining among Ontario public servants from its current 25% down to 12%.

Of those 9,000 workers I referred to, about 2,000 share a community of interest with an existing bargaining unit represented by OPSEU. These employees will be assigned to that bargaining unit and will retain full seniority. The other 7,000 of the previously excluded will be free to unionize and choose their own bargaining agent, if it is their desire to do so.

A limited number of public service positions will remain excluded from collective bargaining. These include judges, physicians, labour mediators, ministers' staff and employees who regularly give advice on public sector employment legislation.

Under our CECBA reforms, employees who are eligible to bargain and who choose to organize will have the fullest range of labour rights, including the right to strike. However, the right to strike will be contingent on both parties reaching prior agreement to protect essential services. The public can therefore be assured that essential public services will not be threatened as a result of any strike or lockout.

We are also proposing that some professional employees who currently have limited bargaining rights should be permitted to enjoy all the provisions of the new act. These professional employees will be guaranteed separate bargaining units and full bargaining rights under this bill, again, if it is their desire to organize.

An especially welcome, long-awaited provision of Bill 117 opens up the collective bargaining process to include all workplace issues, including job classifications, work assignments, training and pensions.

We are also lessening the reliance on binding arbitration by requiring the mutual consent of both parties before resorting to arbitration. The grievance arbitration process will be streamlined in accordance with the Ontario Labour Relations Act. This includes access to expedited grievance arbitration.

Many other changes in the act will also encourage the parties to negotiate successfully and quickly resolve problems.

Finally, I want to point out that the jurisdiction of the public sector labour relations tribunal, which deals with issues such as union certification, termination of a union's bargaining rights and employee status, will be transferred to the Ontario Labour Relations Board on passage and proclamation of this bill.

The bill will also allow the government to conduct its labour relations in a system that is fairer, less cumbersome and less expensive. Our proposals will encourage greater maturity and responsibility in public sector collective bargaining and will place the responsibility for resolution of workplace disputes largely where it belongs, on the two parties and not on the arbitrators.

The second component of this omnibus legislation will expand the political activity rights of the Ontario crown employees. This government has long been committed to giving these employees the same rights already enjoyed by their counterparts in the private sector. We believe that this objective could be met while continuing to ensure the quality, integrity and neutrality of the public service.

This legislation is not about what employees may or may not have done before they joined the Ontario public service; it is about the political activity rights of crown employees once they are on the job. All crown employees will be subject to the provisions contained in the proposed legislation.

This political activity rights legislation will give crown employees greater freedom to exercise a most fundamental democratic right, the right to fully participate in political activity. It's a right that has long been enjoyed by employees in the private sector, a right that we believe has been severely and unnecessarily restricted in the public service up until now.

Mr Steven W. Mahoney (Mississauga West): On a point of order, Mr Speaker: The parliamentary assistant, I assume, is speaking on behalf of the minister and I think there should be at least a quorum in this place to hear his comments.

The Acting Speaker: Could the clerk check to see if we have a quorum.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.
1540

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: The honourable member for Kitchener-Wilmot and parliamentary assistant can continue his participation in his opening remarks to the debate.

Mr Cooper: Thank you, Mr Speaker. As I last said, it's a right that has long been enjoyed by employees in the private sector, a right that we believe has been severely and unnecessarily restricted in the public service up until now.

You'll recall that the government's intentions in this matter were outlined as far back as 1990, in the throne speech, where our concerns were voiced. We felt that restrictions on the political activities of crown employees were too broad and that existing rights were too narrow.

In addition, we were concerned that if some provisions of the Public Service Act remained unchanged, they could even be challenged as constitutionally invalid. On that score, our predictions were proven correct.

Anticipating that this bill would not be passed in time for last month's federal election, the Ontario Public Service Employees Union went to court to challenge the constitutionality of political activity restrictions under the Public Service Act. The resulting court decision confirmed the direction inherent in this legislation.

In response, the government issued interim guidelines that mirrored many of the provisions already contained in the legislation. This meant that crown employees were able to exercise new and greater freedoms during the recent federal election. For the first time, unrestricted employees were able to canvass on behalf of a candidate and solicit funds for a party or candidate without being on a leave of absence.

Let me summarize some of the other highlights of this

legislation. This bill will redefine the two-tier system that divides employees into a restricted group and unrestricted one. Under the current system, there are approximately 6,000 people in the restricted group. In the proposed policy there will be only 3,000 people in the most restricted category. This is an expansion of rights in and of itself.

Deputy ministers, senior managers in the Ontario public service, senior officers in the Ontario Provincial Police and full-time members of government agencies, boards and commissions will remain restricted. All other crown employees will fall into the unrestricted tier.

These unrestricted employees will have more freedom to comment on political issues, to canvass without taking a leave of absence and to choose whether or not to take a leave of absence when seeking a political nomination for any level of government.

Restricted employees will also enjoy greater rights, among them fewer restrictions when making political statements and when seeking elected municipal office.

Of course, in the interests of maintaining a politically neutral public service, there are some limitations in the legislation as well. For instance, unrestricted employees who directly supervise or employees who deal face to face with the public—for example, human rights officers, welfare workers and members of the Ontario Provincial Police—will not be able to solicit funds for candidates or political parties unless they are on a leave of absence.

Mr Mahoney: On a point of order, Mr Speaker: I hate to keep doing this, but I think it is incumbent upon this government to keep a quorum in this place. They can't seem to stay in their seats for five minutes.

The Acting Speaker: Do we have a quorum?

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: The member for Kitchener-Wilmot may resume his opening remarks in this debate.

Mr Cooper: Thank you, Mr Speaker. To continue, crown employees will still be prohibited from engaging in political activity while at work, on government business or in uniform. They may not directly associate their jobs with political actions unless they are on a leave of absence. They must take a leave of absence to campaign as candidates in a federal or provincial election, and as always, they must observe conflict-of-interest rules unless, in the case of unrestricted employees, they are on a leave of absence.

This proposed legislation is the result of a vast consultation process that included the Ontario Public Service Employees Union, the Ontario Provincial Police Association, OPS staff and key members of the public. It stems from some beliefs very fundamental to this government: that free speech and participation in public life are crucial to a vital democracy; that to the greatest extent possible, public employees must enjoy rights parallel to their private sector counterparts; and that it can all be done

without jeopardizing the neutrality or the high standards of government service in Ontario.

The final component of this bill will introduce whistle-blowing protection for civil servants. In its November 1990 throne speech, this government announced its intention to introduce measures to protect whistle-blowers. This bill follows very closely the recommendations made by the Ontario Law Reform Commission in its 1986 report involving public comment rights of government employees. Using this report, involving expert legal research by the commission, as a basis for our proposal, we began a consultation through a discussion paper circulated to various employee representatives, ministries, agencies, the media and MPPs.

This legislation breaks significant ground. Ontario will be the first jurisdiction in Canada with legislation that provides comprehensive whistle-blower protection for provincial government employees. Also, discussions are ongoing about extending this to municipal employees.

I would also note that along similar lines, Ontario has recently introduced an Environmental Bill of Rights that protects both private and public sector employees who blow the whistle regarding environmental matters. The legislation we are discussing today will protect government employees who in good faith wish to bring forward allegations of serious wrongdoing in a constructive and responsible way.

This legislation illustrates the government's continuing commitment to an open and democratic workplace, a workplace where we recognize the importance of striking an appropriate balance between permitting allegations of serious wrongdoing to be disclosed in the public interest, while at the same time ensuring that allegations are brought forward responsibly and fairly to everyone concerned. This serves the public interest and also helps to build a more effective civil service.

What this legislation is not about is authorizing leaks of confidential government information. The leaking of government information continues to be unacceptable and improper. It violates the employee's oath of confidentiality under the Public Service Act and may violate confidentiality provisions in other statutes.

This bill will provide government workers with a confidential channel through which they can disclose an allegation of serious government wrongdoing. Currently, employees who wish to disclose information about serious government wrongdoing have very little protection. Whistle-blowers are required to put their jobs at risk if they disclose information about serious wrongdoing. Only in very limited circumstances may the court set aside an employment penalty where the disclosure of information about serious wrongdoing was determined by the court to be in the public interest.

I am pleased to outline the key provisions of the bill regarding whistle-blowing. Firstly, this bill defines "serious wrongdoing" to mean a violation of a statute or a regulation, gross mismanagement, gross waste of money, abuse of authority, a grave health and safety hazard to any person, or a grave environmental hazard.

Secondly, the bill will establish a counsel, who will be

a lawyer, to assist employees who wish to disclose information about alleged serious government wrongdoing. A major role of the counsel will be to advise employees on how to deal with their allegations in a constructive way. When the counsel determines that an investigation is required, a provincial government ministry or agency must investigate and prepare a report.

Ordinarily, the counsel will place this report in a file available to the public. The counsel has limited discretion to withhold a report from the public in specific circumstances; for example, when public disclosure may jeopardize an ongoing law enforcement investigation.

Retaliation against an employee who has disclosed information to the counsel may be specifically prohibited. In addition, extensive measures are taken to ensure the confidentiality and anonymity of employees who come forward with allegations.

The public has a legitimate interest in knowing that any allegation of government wrongdoing is dealt with appropriately. Allegations that should be investigated will be investigated.

1550

Mr Mahoney: Mr Speaker, I'm going to do this all afternoon if the government's not prepared to keep a quorum in here. There's not one present at the moment.

The Acting Speaker: Would the clerk check to see if we have a quorum, please.

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: The honourable member for Kitchener-Wilmot may resume his opening remarks in this debate.

Mr Cooper: We're just about done now. This legislation is infinitely fairer to the employee and, equally important, of greater benefit to the public, and public trust and respect is earned through integrity and openness in government.

In conclusion, these reforms will give working men and women in the public sector the rights and opportunities they have sought for many years. As the Minister of Labour has said, Bill 117 is progressive for workers, practical for government to administer and protective of the public interest. It is in the best tradition of a government committed to progress for working people. I urge this House to give its second reading speedy passage and look forward to the debate on this bill.

The Acting Speaker: Questions or comments? Further debate.

Mr Mahoney: I hope we'll be able to maintain a quorum for the rest of the afternoon, but I can assure you that if that falls below, I'll raise the issue. It's interesting because part of the price, I guess, of having a majority government when you're putting bills before the House, with the limited opportunity that we have to debate them, including this bill, including every bill, with the attempts—that's right, calm them all down; I'll get them

riled up later, Margaret—that this House leader makes to shut down debate in this place, you would think that the least the government could do, the government that is supposedly representing all the people, whether it's dealing with Bill 117, which I'm going to go into in some detail, or whether it's dealing with Bill 8, like we did with the recent—can you imagine, here we've already had a closure motion, debated two days ago in this House, on a piece of legislation and they introduce another amendment.

It makes you wonder if you need another closure motion to deal with the amendment; I realize you don't. But it's really an unusual way of doing business. It clearly is an example that proves the point that my House leader and I have raised with the government House leader, with other members, and that is that people in the various ministries don't have their act together.

We're getting amendments thrown on us at the last minute. In the case of Bill 8, that occurred. In the case of Bill 80, we had a group of amendments, I might add, delivered 10 minutes before I, as the Labour critic for the Liberal Party, was supposed to do my leadoff 90-minute speech analysing the impact of the bill. I'm given a document in legalese, in bureaucratese, whatever you want to call it, 10 minutes before the speech, and I'm told that they're doing me a favour. Well, do me a favour: Don't do me any more favours. I don't need that kind of help.

The incompetence that's being shown is becoming very, very difficult to deal with. Our abilities, our tools are very limited because of the changes in the rules that have taken place that preclude getting into any real depth of debate, whether it's on Bill 117 or not.

Let me just tell you that this is interesting because this bill is actually an omnibus bill. This bill, as the parliamentary assistant nods in agreement, is a bill that is a combination of a number of things. I remember another omnibus bill, and it seems that whenever the government gets to the end of a session, all of a sudden we start to see omnibus bills appearing, putting things together.

Bill 29, members opposite will recall, was a bill—

Mr Robert V. Callahan (Brampton South): Pot-pourri.

Mr Mahoney: Pot-pourri?

Mr Callahan: Yes. They try to hide things in there.

Mr Mahoney: Bill 29 was a bill that was brought before us near the end of the last sitting of the Legislature and it was unbelievable the different acts it amended. One of the things it attempted to do was bring in major amendments to the Pharmacy Act, and it was only upon an outcry from pharmacists all across the province to every opposition MPP's office, to every government MPP's office—I'm sure in Timmins they were calling the member for Cochrane North saying, "What are you trying to do, sneaking this through on us?" If you want to bring in legislation, bring it in and let it stand on its own two feet.

One again, here in this situation we have three different bills at least—actually, more than three, but three substantive bills—with substantive changes to the point

where it crosses critics' roles. So the member for Oriole, Mrs Caplan, will be doing the last half, the second half of these opening remarks, because it transgresses from the Labour critic's role into her role as critic for Management Board. I think this combination is an attempt by the government to confuse issues.

Interjection.

Mr Mahoney: Then deal with them separately if that's not the case, because clearly the issue of revising the Crown Employees Collective Bargaining Act is an independent issue that should be dealt with in that regard and should not be muddled up with amendments to the Labour Relations Act and the Public Service Act. Instead, you bring them together, you put them in an omnibus bill, because it is the only way, due to a breakdown—well, there is another way: You could bring in each bill individually and you could simply accompany it with a closure motion. You've done that.

We sit four days a week, Monday through Thursday. Two days this week we've already had closure motions delivered. I asked the clerk yesterday if we had the closure motion du jour. We know that every day we sit here like we've got a hammer over our heads. The thing that's so frustrating about that is that we have a responsibility as members of Her Majesty's loyal opposition to question the government, to hold the government accountable. If you have a majority government, and these members know this better than anyone because they had the job—many of the members in cabinet, not the rookie MPPs who are here for the first and last time, but many of the members in the cabinet sat over on this side. Any time there was any attempt—

Mr David Turnbull (York Mills): Mr Speaker, on a point of order: I don't believe there's a quorum present.

The Acting Speaker: Could the clerk check to see if we have a quorum, please.

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: The honourable member for Mississauga West has the floor. We are dealing with second reading of Bill 117.

1600

Mr Mahoney: I guess the point I'd like to stress in this debate is that it's interesting to me, since the NDP has been elected, three years, how much time we spend on labour legislation.

I think back to our three years in a majority government. We brought in two pretty major labour bills, Bill 162 and Bill 208. Interestingly enough, those bills dealt with amendments to a specific problem, workers' compensation—

Interjections.

Mr Mahoney: Just follow me with this. Follow me with this. I know this is hard for you to understand, but follow me with this.

We looked at workers' compensation and said we need

to make some changes. It doesn't matter what side of the issue you're on; we brought in a bill that dealt specifically with an agency that was in some trouble. Obviously, that agency is in even more trouble today. Then we brought in Bill 208—a very controversial piece of labour legislation, I might add, very controversial within the business community—and it dealt with the establishment of a bipartite agency to deliver health and safety training throughout the province, the purpose being to try to reduce the number of person-hours lost due to sickness or accident in the workplace.

I don't hear any chirping over there because even this group would have to agree that is something that would be very important: trying to reduce the number of lost hours. We didn't bring in legislation that dealt with bargaining rights. We didn't bring in legislation that dealt with affiliation to international unions or the power of a local. We didn't bring in legislation that dealt with new ways to organize, tilting the playing field so that—

Ms Christel Haeck (St Catharines-Brock): Be careful.

Mr Mahoney: What do you mean, "Be careful"? Why should I be careful? What you've done is put in place a system within the labour movement that allows for raiding to take place, intimidation to take place—can you imagine, of all things, taking away the right to a secret ballot? And here you're doing it again.

Just one of the things that Bill 117 does is that it forces unilaterally, with no vote, with no option, 2,000 civil servants into OPSEU. They're not given a choice in this bill. Imagine legislation by any government—I don't care if you would call yourself a labour government. I can tell you that even the people in OPSEU don't call you a labour government. Even Fred Upshaw would like to throw you out on your can, and yet—

Mr Paul Klopp (Huron): Is Fred against the bill?

Mr Mahoney: Why would he be against the bill?

Mr Klopp: Well, both sides—

Mr Mahoney: No, no. Just a minute. You see? Can you imagine? Why would he be against a bill that's going to give him 2,000 union-dues-paying members? I don't think the man's stupid. He's probably saying: "All right. You really gave it to us with the social contract and, boy, oh, boy, my members were upset and I had to politic." This is Upshaw speaking. "Now you're going to give it back to me by giving me 2,000 new members."

How much do you think they'd pay in dues? What do you think an OPSEU member would pay in dues annually? What do you think? Would it be \$20, \$30, \$40, \$50 a month, something like that? Two thousand members; let's call it \$50 a month. Would it be that much? I'm asking for help here, anybody. Would it be \$50 a month, \$600 a year, times 2,000 members? Not bad. "Sorry, Fred. We really got you upset with the social contract and we know you've got a political agenda because you're elected. We understand that, but we've got to do this anyway, and you can yell and scream about it if you want. But we're going to make it up to you. We're actually going to pass legislation that forces, with no vote, with no say, with no consultation, with no choice,

2,000 members of the civil service to join a union: one union, only one union. They don't have a choice."

Would you call that a payoff? I don't know. A payback? They're awfully quiet now. It's interesting. I don't know what you'd call it, but it seems pretty clear to me.

Every time we ask a question in the House, let me tell you that the Premier particularly loves to stand up and rant and rave, as he did today, about something the former Liberal government did, so he can't have it both ways.

Let's talk about some things the former Liberal government did in the area of Bill 162 and Bill 208. They were labour bills that dealt with specific problems within both the labour industry and the business industry, that dealt with problems of concern. Maybe they didn't satisfy all of the concerns—I don't know of a government in Canada that can do that—but at least they attempted to tackle the issues.

What does this government do? The first thing they do when they get into power is tilt that old playing field with Bill 40. They completely destroy any sense of confidence that the investment sector, that the business sector, that the manufacturing sector, that the retail sector, that anybody has in doing business in Ontario.

They do this at a time of the worst recession in 65 years that we've faced in this province, in this country, at a time when they should be concentrating on getting economic activity going again, at a time when they should be looking at jobs for people in Ontario, at a time when they should know what the men and women in the rank and file on the shop floor know; that is, if the company goes out of business because of undue government interference and regulation, then they're going to lose their jobs.

The workers understand that. They know full well that this government has done more to undermine confidence in the business community, in the private sector, in the investment community here in Canada, in the United States and abroad, than every government in every province of this entire country. The results were clear on October 25.

Anybody who thinks that Audrey McLaughlin lost because of Audrey McLaughlin wasn't paying attention. I actually felt sorry for her. I thought she showed some courage. She tried to stay to her agenda; whether you agree with her agenda or not is not the issue, but she was carrying an albatross on her back like I've never seen any politician have to do, perhaps with the exception of Mike Harris, who has to carry the Brian Mulroney legacy and the legacy of former Tory governments in the province.

Mr Turnbull: What about David Peterson, who lost his seat?

Mr Mahoney: I knew I'd wake up the extreme right-wing fanatic in the Conservative Party. Preston Manning is on line 2; I think he's looking for you. And Ross Perot—oh, here's Preston now; I'm sorry. There's someone waiting to talk to you.

The Acting Speaker: Please, to the member, address your—

Mr Mahoney: It is addressing the bill, because this is a labour bill.

The Acting Speaker: When you're referring to another honourable member, use the riding from whence he comes.

Mr Mahoney: The point of the matter is that there are a number of areas within the bill that I'm going to address, but I just want to say, in leaving the overview of this, I just wish you would sit down in your caucus—

Mr Ron Hansen (Lincoln): Talk about the bill.

Mr Mahoney: Mr Hansen, you are a reasonable MPP. You've got a constituency out there of fruit farmers, of business people, of small business people trying to survive. Go into your caucus and say to them: "Oh, there's another labour bill coming. It's the agriculture labour bill."

Another example of lack of consultation, of getting it all wrong, is going out and having meetings with all the farmers and saying, "Here's what we want to do," and then writing something up that's totally opposite to what they want. Why can't you people get together in your caucus meeting and say: "Maybe it's time we left the labour movement alone. Maybe it's time we stopped trying to bring in amendments every other day to change collective bargaining rights, to change how people can organize unions, to change the rules under which raids occur, to change the affiliation, be they national, local or international?"

Bill 80 is probably the most draconian bill of all, and yet the public isn't interested. I'll tell you why. Because it only affects the construction labour groups.

Mr Chris Stockwell (Etobicoke West): And they've given up.

Mr Mahoney: I don't think they have given up. They're madder than hell and they're going to make sure they throw these guys out in the next election, which they'd like to happen next week.

Imagine this: You've got a union; it's organized. You have a meeting, you set a constitution. In the constitution you have rules and regulations. Everybody votes on it. There it is. It governs how the union functions, everything from grievance procedures to amendments to the constitution.

This government is coming in with its labour laws, of which this is one, and with another labour law saying, "We're going to change your constitution on you and you don't have anything to say about it." That would be like going into a Rotary Club—imagine going into a Rotary Club; they have a constitution—and saying: "Okay, Rotarians, line up. We don't like the way you're having your lunches on Wednesdays, so we're going to change it. You're going to now meet every Monday."

1610

Mr Stockwell: No more sing-songs.

Mr Mahoney: No more sing-songs. That's the Kinsmen. No more, "Here we are, a happy bunch of men." I was an honorary Kinsman and an honorary Kinette for some time. I enjoyed the Kinette role more.

They're going into a service club, telling them they

don't like the way they operate so they're just going to change their constitution. Where in the world does this government get off thinking it has the right to change the duly passed constitution of a union in this province, with duly elected executives and a board elected by the membership: elected, elected, elected? Where do they think they can do this? I asked people presenting in committee yesterday, "Can you tell me one other jurisdiction in the free world where this is in place?"

Mr Stockwell: What did they say?

Mr Mahoney: They said no. They don't know of any other government anywhere that would have the audacity to come in and unilaterally and arbitrarily pass legislation that just changes their constitution. Frankly, I think it will wind up in the courts. It violates convention 87, article 3 of the International Labour Organization in Geneva. The members know that. It violates that, wherein that article says that public authorities shall not interfere in the inner workings of a trade union. It says that.

That's been passed in Canada. It's been endorsed by the CLC, by the Canadian Federation of Labour, I assume by Gord Wilson of the Ontario Federation of Labour—I assume he would support that—by all of the unions, I assume. I assume Fred Upshaw would support that. What would Fred Upshaw say if Bill 117 included an amendment that allowed you, the government, the Minister of Labour, to strike out clauses in his union's constitution? I can't imagine what he would say. I think he would be pretty upset.

Who's to say this is to stop at the construction level? We know it won't stop there. The only thing that will stop this tinkering, this constant interference, this constant manipulation by this socialist, dogmatic government, the only thing that will stop it is an election.

Mr Stockwell: On that note, I would call a quorum.

The Acting Speaker: The honourable member for Etobicoke West has asked for a head count.

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: The honourable member for Mississauga West can resume his participation in the debate.

Mr Mahoney: I want to thank the member for Etobicoke West for calling a quorum, because I think he, like I, feels that members of the government, whether they like it or not, should listen to the criticism of this bill and of every bill in this place. I appreciate you doing that.

Let me deal with one of the issues in here, whistle-blowing. The most interesting thing—I remember the throne speech. I mean, it was an historic—oh, it's too bad the Minister of Labour has missed all my discussions about all his bills. Oh well, I'm sure you know I'll repeat them at a future date. I'll send you a copy of Hansard autographed.

The whistle-blowing provisions that are in here: We

heard the Premier. In fact, we heard some of the quotes from the throne speech today and the Premier's speeches about politics not being what we can get but what we owe each other. It was great. You could just see McClellan and all of these guys—I guess Piper was here. Remember John Piper? He was back in the back room saying: "What do we get the Premier to say so we get that 20-second clip?" You know, "Ask not what your country can do for you." They're looking for one of those. They would say to the Premier, "Here it is, Premier, we got it: 'Politics is not about what we can get but it's rather about what we owe each other,'" and a little tear comes down the cheek and everybody goes, "Boy, Premier, it is so sincere." Yet we know better. We know how phony it is.

We know that in that speech three years ago there was a promise by this government that it was going to do things differently—

Mr Stockwell: They have.

Mr Mahoney: Well, that's true, but not quite that way. They were going to open up the process to allow everybody in. It's fascinating. Yet today we have them opening up the process with two closure motions in one week. That's really opening up the process.

One of the motions says there shall be two days of committee hearings and then on the second day you'll do clause-by-clause. So help me with this. Two days in clause-by-clause. That sort of means you do clause-by-clause on the second day and you'll do public hearings on the first day, so it's really only one day. One day amounts to—what?—two and a half hours, max? Two and a half hours? If you give somebody 15 minutes, is that unreasonable, to give him 15 minutes to come in and analyse a bill? I'm talking about someone from the public. I'm talking about someone with concerns about this. They get 15 minutes. Is that unfair, I say to the members opposite? And in two and a half hours, what are you going to get? You're going to get eight or 10 people in. We have a province of nine million people. That's open government. Yessiree, Bob, that's open government.

Then the next day they bring in another closure motion, and these aren't on unsubstantive bills. These motions are on Bill 8, on a gambling casino. They're on photo-radar.

Mr Stockwell: Did they have a mandate?

Mr Mahoney: Did they have a mandate? Thirty-seven per cent of the people voted for these guys but they got a majority. I admit that. I respect that.

What's the first thing they did when they got in power? They changed the rules so that nobody could filibuster. They put time limits on it. They changed the rules so they could bring in closure so they could hammer bills that they knew would be unpopular. I tell you, when they wrote their Agenda for People they knew darned well they weren't going to follow it if a miracle happened—unfortunately, it did—and they became the government. They knew they weren't going to follow it. They were just pandering to a bunch of NDP rank-and-file members at their annual meeting, telling them, "Oh yes, we believe in all of that." Then what happens? They

get into office and they do a turn to the right so sudden that the entire province has got whiplash, and because of the auto insurance changes I don't even know what to do about that. Their premiums have all gone up. I mean, it just goes on and on.

One of the things they promised they would be different about was whistle-blowing. Let me tell you, we in the Liberal caucus support the concept of whistle-blowing. We have supported it for some time. We in fact said at the time that it was read as a throne speech initiative, "If they do that, that will be good," because we have found, particularly being in opposition with these people in government, that those brown envelopes keep sliding under the door every day, and guess who they're coming from? They're coming from members of Fred Upshaw's union. They're coming from civil servants all across Queen's Park, all across the province. They show up in faxes, for goodness' sake, at our constituency offices on a regular basis. They show up at our homes. They phone us.

Interjection.

Mr Mahoney: No, those are leaks, and you know why they're leaks? Because they're so frightened of you. They're so frightened.

1620

I hear the minister for the GTA today, in answer to questions about why the mayor of Brampton, his worship Peter Robertson, was physically ejected from the IWA meetings—here, he's coming into the room—stand up and go on with some answer about how "That mayor calls me all the time." Let me tell the minister something. Those mayors and those councillors—and I was a councillor for some time—know that if they say anything to you that you don't like, you're going to get them one way or another. One way or another you, the NDP, the most vindictive party in the history of this province, are going to get them. So they can't.

They have to come in to you. They phone up the minister and they go: "Mr Minister, hi. How are you? We need your help." Why? Because it's their job. It's their responsibility. There's only one mayor I know of who can come in and tell you to your face, and that's my mayor, and you won't dare take any guff from her.

Interjection: That's Hazel.

Mr Mahoney: That's Hazel. You got it.

Let me tell you, they come in, and they have to come in hat in hand. They have to be careful. They have to say: "Hi. You're looking good. You're doing a nice job." You should hear what they say to us. You should hear what they say when they have no retribution to fear. It's a little different story. They're a little more open and honest.

Mr Klopp: Name names.

Mr Mahoney: I don't have to name names. I can tell you all of them. Go through a process of elimination. Every one of the ones in my municipality is scared to death that you guys are going to somehow do something that hurts their municipality, my city. You know what? I think they have a right to be afraid. They also know that they've only got, at the most, 18 months left, so they just

sort of suck it up and hold their breath and wait until they get a chance and the public gets a chance to get rid of you.

That's why you need this whistle-blowing, because what you have going on right now is you have people, not just civil servants but even elected officials, if you can imagine, afraid to say anything. A civil servant today knows that if he or she discovers someone in the civil service above him or her in rank, particularly if they're a pal of David Agnew, particularly if they are part of the NDP infiltration of the civil service, their jobs could be at risk.

That's pretty frightening in today's economy. Now, who is going to come out and say a darn thing other than a nice smile and a handshake and a howdy do and, "Boy, you guys are great," if they think their jobs could be in jeopardy? You even have members of your own caucus who don't have the guts to do that. You have members of your own caucus who don't agree with the direction of the government.

Interjection.

Mr Mahoney: You do. I've talked to them. They come over and talk to us all the time. I say: "Don't tell me; tell Bob. Tell Bob." Why don't you tell—

Mr Stephen Owens (Scarborough Centre): Tell Steve Langdon.

Mr Mahoney: Tell Steve Langdon. He's got some guts. But, you see, he doesn't need any whistle-blowing protection. He doesn't need any of your help.

Mr Turnbull: It's too late now.

Mr Mahoney: He's history. He went down, just like the other whatever number in the NDP caucus, in flames because of one person: Bob Rae. Bob Rae knows it. I'm sure Bob Rae knows it. And for all his denial and his protestations that he has nothing to do with it, I'm sure he's sick to death about the fact that he will go down in history as not a Tommy Douglas, let me tell you. No way. He will not go down as a man who built what used to be a great institution in the New Democratic Party in this country. I don't care if you believe in them; they were at least a group that had something to say. I give your national party some credit for medicare and other things. I do. I think in fact there was a social conscience that was there. Even if you didn't agree with it, at least it was there to hold people accountable, to put forward ideas on behalf of the little guy. What in the world happened to that party?

History will record that Bob Rae singlehandedly destroyed that party—singlehandedly. He didn't even have help from his caucus or his cabinet, because we all know that the levers of power are vested and rested in the corner office of the pink palace, and there is only one person who has his hand on that lever. And when he pulls it, you all just jump. "How high, Bob? How high do you want us to go?"

How else can you explain the nerve of an NDP caucus, elected on the Agenda for People, to go back into their community to defend some of the policies that they've had to defend?

That's why we're getting whistle-blowing. It's only

taken the government three years. They've been busy. They've been dealing with Bill 40. They've been dealing with Bill 80. They bring in more amendments here in Bill 117. They're bringing in the agricultural labour amendments, to the chagrin of the OFA and any other farmer in the province, I say to the minister, who do not agree with what you're doing.

Ms Sharon Murdock (Sudbury): That's not true.

Mr Mahoney: Then they're lying to you or they're lying to us, I don't know which, Minister, but we're going to find out, unless you decide that you're going to bring closure in on that bill and shut them down so they don't have a chance to speak. Maybe you are, I don't know.

But we're finally going to get whistle-blowing with this bill, and let's be clear: This bill, just like every other bill that this government introduces with their massive majority, is going to carry. The amendments that will take place will not be as a result of things that we say in this place; they will not be as a result of anything that we do in committee; they will only be as a result of whims of either the Labour minister or the Chairman of Management Board. That's all. They will be the ones who will determine.

The fact of the matter is, all we can do is we can hold them accountable, we can publicize whatever they're doing, be it in a draconian way. We can point out to the people of this province the damage that they're doing, and we can ask people to simply hold their breath for another 18 months or hopefully less, but probably not, until we can go to the polls.

Ms Murdock: We're not David Peterson.

Mr Mahoney: If you're right, if you thought you were right, call an election. I'd be delighted. I don't think that that'll happen.

I talked earlier about the payoff to Fred Upshaw. Let's just understand something. There's a very important issue here. The right to strike in the public service—

Mrs Ellen MacKinnon (Lambton): You're still not on the bill.

Mr Mahoney: —I'm still not on the bill?—the right to strike in the public service is an issue in this bill that's coming forward.

My colleague the member for Oriole will be going into some detail about the impact of that but I also want to put on the record some concerns.

They are attempting to identify, somewhere in all this stuff I have it, essential services. They have to negotiate an essential services agreement with the public service and they will define, hopefully, anything that represents danger to health and safety in the province, destruction or deterioration of equipment, serious environmental damage.

I wonder if that would include the dumps. What do you think? That's interesting. I just thought of that. That could include the new dumps: serious environmental damage to farm land. It may be a reason to support some of this. Interesting. Maybe this is going to come back in your face. Interesting.

Disruption of the courts: We know that Bob is going around building courts in NDP ridings and, according to my colleague from Brampton South, who's very upset, he's derailed the project in Brampton. Although, thanks to the intervention by Bob Callahan, the Liberal member for Brampton South, the Premier apparently in the newspaper today is saying the Brampton courthouse is back on track. I don't know, Bob, if you saw that. Apparently it is.

Thank you on behalf of the people of Peel, let me tell you, to this member, for holding this Premier accountable and for embarrassing him to the point where he had to put that issue back on track. I really think that that is a clear example of how an opposition member can indeed function and get something done around here, and you're to be congratulated for that.

Those are the definitions, I guess, in the agreement for essential services that they're going to deal with.

1630

They've got to have an agreement in place and presumably that will exclude those people from the right to strike. This is like the social contract. They defined critical services in the social contract. So now you've got firefighters—I think we agree those are critical—and the firefighters have to work and don't get paid instead of not working and not getting paid because they're critical. Guess what they get to do with that day's work that they didn't get paid for? Right here, in the bank, in the pocket.

In 1996, when Bob is no longer the Premier, the firefighters are going to have a right to come back to their municipality, unless they've negotiated something different, and say: "Guess what? I have worked 12 days a year for the last three years for nothing. I want my money now."

"The act says you can't have it in money. What would you like it in? How about holiday pay? How about holidays? How about if we give you time off paid?" What happens if they give them a paid holiday to make up for the Rae day they worked that they didn't paid for? You've got to hire somebody else to pay him because they were defined as critical.

Mr Stockwell: No savings.

Mr Mahoney: Well, not only no savings; there is an accumulation of an outstanding liability that could cripple some of the municipalities in the province if they don't have the foresight and the good luck to negotiate a better deal with their union, with their local in the Firefighters. This is simply putting off today's problems to 1996.

It reminds me that there's another example. The member for Etobicoke West will get a kick out of this. My mother-in-law—hi, Edna, how are you doing, kid?—is 70 or something young. She goes to get her licence renewed and she doesn't know how long she's going to be driving. They took six years of licence fees out of her in one cheque. She said: "I might not be driving in six years, in two years, in three years. Do I get a refund?" What do you think?

You see, you're collecting anything you can. The truth is she's not watching because she's on holidays, but it's okay; she's a good lady. You guys are gouging all the

seniors with six years' worth of licensing fees today to try to solve the problem you've created with your \$10 billion deficits every year. This is unbelievable.

A new government's going to come in power. I think you probably agree with that. You may not say so, but I have a sneaking suspicion that you're probably in agreement that a new government will take over in 18 months. They're going to come in, all that revenue's already gone and they still have to provide services. The money that you collect from that is supposed to go into road improvements, it's supposed to go into GO trains, and you've already spent the money. It won't be there. That source of revenue will have dried up.

The point is that in the same way, in the social contract, by allowing everyone who is defined, everyone who is deemed a critical service, many of which would fall into the same category under Bill 117 that's deemed an essential service, this government has put off the payday to 1996.

We know that. So the fact is that like Mr Chrétien, we're not going to be able to get into power and say, "Look, we opened the books and they're worse than we thought." We know how bad it's going to be. The business community, the people of Ontario know how bad it's going to be. We just wish you would stop making it worse. Just stop. Just take a seat. I mean, stop. Please. I'm afraid you won't.

Ms Murdock: Bill 117.

Mr Mahoney: Well, Bill 117 is going to lead to that because what's going to happen with Bill 117 is that everybody outside of these essential services is now going to enjoy the right to strike. Will the province of Ontario be able to withstand the economic damage that will be done by widespread strikes that will occur in 1996 as a result of the social contract coming to an end and the civil servants in this province saying: "You have blamed us long enough; you have put this problem on our backs; we're mad as hell and we're not going to take it any more?"

That's what they're going to say. They're going to come to the government of the day, and they're going to say: "We want our Rae days back. We want our overtime back. We want our job security back. We want our respect back." Where do you guys get off dumping on them?

Absolutely you have to reduce the size of government. You were given alternatives. You were given alternatives of reducing pay by 5% across the board and every six months, in 1% increments, increasing the pay so that after three years, the civil servant, the worker—they're workers too, by the way—could say, "I'll be back to where I was in three years time." But you didn't do that. That would have solved the problem.

The Acting Speaker (Ms Margaret H. Harrington): Would you address your remarks through the Chair.

Mr Mahoney: They didn't do that. The government refused to do that.

Instead, Bob said: "You're going to do it my way. You're going to do it the way I say, because I, Bob Rae, know best." Let me tell you, everybody out on the street

knows better than Bob Rae about the economic problems, because they have to live with it every day. They aren't some silver-spooned, they aren't some born-in-a-log-embassy brat, educated in private schools around the province.

The Acting Speaker: To the member: I find that offensive. Could you refrain and use other words, please.

Mr Mahoney: What else could I call him? Born in a log house embassy, anyway, silver-spooned: I think those are accurate. I think brought up cocooned, protected, never really had to work, came out of law school, went to work for the Steelworkers, gave some advice here, did some things there, that kind of stuff, never really had to go hungry, never had to worry about feeding his kids. Well, the people of Ontario know. They're out of work.

Instead of passing cockamammy legislation that's going to spread the right to strike all over the place, why don't you create jobs in the province? Why don't you do something to get the province working again, Madam Speaker? Well, why don't they? Maybe you can answer for me. I'd delighted to put my remarks through you if you could give me an answer. I don't understand and the people don't understand.

There are some aspects of this bill, such as whistle-blowing, that we can support. It's about time. It's overdue. But we need some consultation. I ask the government, in all fairness, to ensure that this goes to committee, ensure that there are full public hearings, ensure that the people you're forcing to join OPSEU have a voice, a democratic right to stand up and say what they want to change.

Give us a chance and we'll work with you. Keep shoving legislation down our throat, and we will fight you every step, every inch of the way until the next election, when it will be your last election, and thank God, we'll finally get this country and this province going again.

The member for Oriole, by unanimous agreement with the House leaders, is going to finish the last 45 minutes of this debate. I thank you for allowing me to put my comments on the record.

The Acting Speaker: Is there consent for the member for Oriole to use the next 45 minutes? Agreed.

Mrs Elinor Caplan (Oriole): I am pleased to join and participate in today's debate. It is a continuation of a debate that I participated in some time ago now.

I'd like to review the history, if I can, particularly because this is an omnibus bill: a piece of legislation, for those who are watching, which includes many parts and many amendments to other pieces of legislation.

Mr Anthony Peruzza (Downsview): Madam Speaker, Elinor is back. She has been away for a while, but she's back now.

Mrs Caplan: Madam Speaker, I have the floor. The member opposite is not behaving in a manner in which I can continue. Would you ask him for order.

The Acting Speaker: To the member, order, please.

Mrs Caplan: I believe this piece of legislation is particularly important from a number of perspectives. In

the beginning of my remarks—I find it difficult to understand why the member for Yorkview is not interested in the issues I'm about to address. I find that disturbing. I know that his constituents and mine are interested in what Bill 117 is all about. What I'd like to do is read the title and then address some of what is contained in this bill.

1640

Bill 117 is An Act to revise the Crown Employees Collective Bargaining Act, to amend the Public Service Act and the Labour Relations Act and to make related amendments to other Acts. We were handed by the government a packet of material that literally was about four inches thick. This is a very complex piece of legislation that has been put together to amend numerous pieces of labour legislation and legislation which is presently under the responsibility of the Chair of Management Board of Cabinet.

There are a number of very important issues which are addressed in this package of legislation. I mentioned previous debate on amendments to the Crown Employees Collective Bargaining Act, and I'd like to point out that was a separate piece of legislation that had been proposed by the government which is now included in this package.

Probably the primary concern I have about the package at this time is that, in my view, what should be a priority for the government at this time is reviving the economy, creating a climate for jobs to be created. There is nothing in this package of legislation on labour reform that is going to create a climate for new jobs, that is going to do anything to revive the economy. In fact, it's not a piece of economic legislation at all; it is a piece of labour legislation, which I think speaks to the misguided priorities of Bob Rae and his government.

At a time when Ontario is hopefully emerging from one of the worst economic downturns, certainly in memory—I think people have suffered in a way we could never have contemplated and which is heartbreaking to see—we have the government putting its attention to yet another piece of labour legislation which, quite frankly, I'm concerned people will not be putting time and attention to simply because their priority is economic stimulus and job creation.

I'm very concerned that while the NDP and Bob Rae keep saying his new priority is going to be job creation, when you look at the legislative agenda of this government and what's on the agenda today, what you see is that it is not only merely paying lipservice, but it is, I would say, deceptive, because the people of the province think the government is paying its priority and attention to job creation and economic recovery.

Mr Peruzza: Hey, Elinor, didn't you hear the announcement today, the investment fund? Obviously, your speed reads didn't get that one.

The Acting Speaker: Order. The member for Downsview, come to order.

Mrs Caplan: But here what we're saying is we're going to see legislation that enhances the power of unions and tilts the playing field—

Mr Perruzza: On a point of order, Madam Speaker: I'd just simply like to draw to the attention of the member—I think the record should be set straight. She keeps saying this government isn't doing anything for job creation. I'd just simply point her to the NDP—

The Acting Speaker: That is not a point of order. Would the member take his seat.

Mr Perruzza: The joint investment fund was announced today. Maybe you should point that out to her.

The Acting Speaker: You'll have a chance to make your remarks later. The member for Oriole has the floor.

Mrs Caplan: I know the truth is difficult for the member for Yorkview to be able to bear, and I know it's hard for him to hear these words because his own constituents are concerned about the economy, but I think it's important—

Hon Mike Farnan (Minister without Portfolio in Education and Training): On a point of order, Madam Speaker: The good member for Oriole makes a point of the truth and she has blatantly misrepresented the facts in her opening statement, blatantly. She has suggested that there is no business creation, and in fact today in the House—

The Acting Speaker: Would the member please take his seat. I would ask the member to withdraw his allegations.

Hon Mr Farnan: The member for Oriole blatantly misrepresented the facts. If I must withdraw that fact, I will make the withdrawal. Nevertheless, it is a reality.

Mr Stockwell: That's no withdrawal, Madam Speaker.

The Acting Speaker: To the member for Cambridge, I have asked him if he would withdraw.

Hon Mr Farnan: Really, Madam Speaker, unequivocally I withdraw.

The Acting Speaker: The member for Oriole has the floor.

Mrs Caplan: On numerous occasions I've expressed concern about public cynicism and the message people get when they watch debates in this House. Unfortunately, seeing that kind of behaviour from members of the government caucus, behaviour such as you saw from the Minister of Municipal Affairs this afternoon, encourages public cynicism. When the member refuses to stand and withdraw and behave, I really believe it does not enhance the debate and discussion in this House.

Mr Stockwell: Madam Speaker, on a point of order: I would ask that the member for Downsview withdraw the comments he made. They are unparliamentary and clearly out of order. I heard them.

The Acting Speaker: To the members, I have asked all of the members to come to order. The member for Oriole has the floor. Obviously, she has the right to make a statement and express her own opinions, and she is doing that. You will have a right to respond.

Mrs Caplan: The point that I'm attempting to make when we consider Bill 117 is that while there certainly has been discussion within government for quite some time about changes to the Crown Employees Collective

Bargaining Act and changes to the Public Service Act and to the Labour Relations Act and to the many acts, the Hospital Labour Disputes Arbitration Act, all of those pieces of legislation which have been around for quite some time, at this particular point in time what my constituents and what the people of Ontario are telling me is that they want the government's priority to be economic stability, economic growth and job creation. This legislation does nothing to further the economic agenda. At a time when Ontarians are out of work, worrying about the future for themselves and for their children, worrying about job loss, what we see from Bob Rae and his government is a piece of legislation which I believe tilts the playing field once again in the area of labour legislation. While there are some parts of this legislation which are worthy of merit, overall this tilts it in a way which I don't believe is in the public interest.

Mr Perruzza: Madam Speaker, on a point of order: I tried to make this point earlier. I will try to make the point again, and I look to you for direction in this matter. I don't think it's a light matter when you talk about a piece of legislation that has the potential for saving so much taxpayers' money through whistle-blowing so that people can come forward—

The Acting Speaker: To the member: Will you please take your seat. There is nothing out of order. The member is expressing her opinions on this bill.

Mrs Caplan: Thank you, Madam Speaker, and thank you for the interjection. It is a concern of mine that the member is deliberately attempting to interrupt my remarks. If he continues to do so, I'd ask that you add time to my remarks, because each time he stands on his feet and does that, it not only interrupts the flow of the debate but it also takes time legitimately from my right to make the case on behalf of my constituents. So I'd ask you to consider that request and add time to the time allocated for the remarks.

As critics, under the new rules which were passed by the NDP, we are limited in our debate. That's why Mr Mahoney and I are sharing this leadoff time. It is, I believe, very unfair to have members standing in their place with silly and out-of-order points of order just to simply try to disrupt the debate. I think that's not only unparliamentary behaviour but it's not a very mature way for the members to be acting. Having said that, I'd like to continue with the debate.

The concerns that I have about Bill 117 are both substantive, and I'll address those in a minute, and also with the way it's packaged. I happen to be very concerned about this government's practice of bringing forward omnibus bills, because the problem with an omnibus bill is that if you like one part of it but you don't like another part of it, it is a way that says it's all or nothing.

It seems to me that if we get into this practice of cobbling together omnibus bills that deal with large numbers of issues, what happens is that the public doesn't understand what the whole debate is about because we will tend to focus on one or two of the sections of a large and cumbersome bill, and then democracy is not well served.

1650

It's my view that if you're committed, as I am, to clarity and openness and accountability and the integrity of debate, then you must make sure that debates on substantive legislation are transparent, that people can see and understand what the debate is really about.

The issues that are in Bill 117 are extremely comprehensive, and while I can say clearly that there are some parts of Bill 117 that are deserving of merit—and I'll say that again; there are some parts of Bill 117 that are deserving of merit—on balance, I have so many concerns about some sections of that bill and the direction that it takes us in that I do not believe I will be able to support this bill unless it is significantly amended at committee.

In fact, I am so concerned about the complexity and the size and the fact that it is an omnibus bill, all rolled in together into one gigantic piece of legislation, the fact that it is addressing labour issues as opposed to economic issues at a time when clearly what this province needs is to have the economy addressed, because I believe that inside and included in this bill are a number of directions, and I think "directions" is the right word because if there are broad regulatory powers as well that will come from some of this, not only does it push the problems off into the future but it could well affect the ability of future governments to manage appropriately, to look at how services are provided and to ensure the value for money the taxpayers are receiving. The opportunity to reform itself, which I believe government will have to do in the future, could well be hampered by some of the proposals that are in this legislation, and I have real concerns about that.

Let me deal for a minute with some of the substantive issues that are raised by the bill, because I think that those issues should be addressed as we consider the bill, but I will be concluding my remarks again with a concern overall of not only the process but of the timeliness and of the mismanagement of this government in bringing forward this legislation at this time.

The first part of it, the Crown Employees Collective Bargaining Act, CECBA, as it is called, proposes a number of changes; one is extensive changes to the right to strike of civil servants. I believe that is an important debate that is needed in this House.

Mr Turnbull: On a point of order, Madam Speaker: It would appear that once again there is not a quorum in this House to hear this very important debate.

The Acting Speaker: Could the clerk determine if a quorum is present.

Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Senior Clerk Assistant and Clerk of Journals: A quorum is now present, Speaker.

The Acting Speaker: The member for Oriole.

Mrs Caplan: I was beginning to address the details of Bill 117 and to explain to those people watching what this piece of labour legislation is about.

The first part of it is about reform to the Crown

Employees Collective Bargaining Act, called CECBA.

Mr Perruzza: On a point of order, Madam Speaker: I'm sitting here, I'm listening to this debate and I'm listening to a lot of the comments that the Liberal member is making, but I believe with only two other Liberals and no Conservatives in the House, there may not be a quorum, and I'm asking you for a quorum call, please.

The Acting Speaker: We have a quorum at the present time. We have just determined that we do have a quorum.

Mr Perruzza: I'm not quite so sure, Madam Speaker.

The Acting Speaker: Would the clerk determine if there is a quorum at this time?

Senior Clerk Assistant and Clerk of Journals: A quorum is present, Speaker.

The Acting Speaker: Thank you. The member for Oriole.

Mrs Caplan: I have a question of you, Madam Speaker, and it really is a point of order. I've raised this before. I would say there's been at least five minutes of my debate time lost to those kinds of antics which we've just seen again from the member of the NDP caucus, the member for Downsview, and I'd ask if you will return that time to the clock.

The Acting Speaker: I would say to the member, I do understand her frustrations. I would ask all members to think about being in the same situation as the member who wants to express her opinions on this bill. At this point, I will not ask for more time, but I would ask all members to have the courtesy to try to give the member the time she needs to express her thoughts.

Mrs Caplan: Thank you very much, Madam Speaker. As I was saying, the first of this piece of legislation deals with amendments to the Crown Employees Collective Bargaining Act: One is the extension of the right to strike; the second is the way that essential employees will be designated, and that is to be left open and negotiated; a third is to include in the unionized ranks additional employees who at this point in time have been considered excluded.

Also, one of the things that I'm concerned about, because I'm not sure that it's as clear as I would like, is expansion of the issues that will be able to be bargained under this new legislation. The current legislation has some restrictions on what can be bargained at the bargaining table.

The concern that I have is that while much of this is presented with a view to streamlining and updating and so forth, it really does tilt the balance. When CECBA was actually Bill 49, which was then withdrawn and this put forward in its place, one of the concerns that I had then and that I share now is the government's intention under this legislation of forcing civil servants to be represented by the Ontario Public Service Employees Union, OPSEU, as opposed to giving those civil servants the right to decide who they would like to represent them at the bargaining table.

That may not be a major public issue, but it is an

enormous precedent and it is an issue for those members of the public service who would like to choose someone other than OPSEU to represent their interests. I'm concerned because what they're saying here is that about 2,000 will be forced into OPSEU, the others will then be given the opportunity to choose. My own view is that the employees, the professional civil servants who serve this province and work for the provincial government, those who are not presently included in the union, should have the right to choose (1) if they want to join a union, and (2) if so, which union they would like to represent them.

That's a principle that I think is reasonable. It fosters good labour-management relations. It's not included in this bill. It's something that we stressed and pressed for under Bill 49 and we haven't seen any change in this new legislation. So I am concerned about that.

1700

As I say, and I'll express it again, I'm very concerned that the issue of declaration of what is an essential service is not clearly defined except for the four points, and it is then left to negotiation. We know what a failure those negotiations were under Bill 48, the social contract legislation, which also left to be defined what is an essential service.

This bill, as I mentioned, contains another section which I think has some merit. The whistle-blowing legislation is an important and significant step forward. I think employees should be protected in pointing out serious wrongdoing, in bringing forward any violations and also in bringing forward concerns they have about the activity of the government.

Bill 117 has built in some protection for employees that I believe is very important. However, the concern I have about this piece of whistle-blowing legislation is that right now the civil service in Ontario is feeling demoralized. They are frustrated and, frankly, they don't trust. The reason they don't trust is that every time there's an attempt from the civil service to let the opposition know what is going on by sending out the traditional brown envelope, which has always been part of the culture here in Ontario, Bob Rae, the NDP ministers, send in the Ontario Provincial Police. What that has done is send out exactly the opposite message from whistle-blowing.

When I talk to civil servants about the whistle-blowing legislation, they say, "This is an example once again where the government says one thing, they say what their principles are, they say they want to encourage and give civil servants the right to speak out, and then on the other hand they send in the OPP to find out who sent the brown envelope to a member of the opposition when there was concern about a government initiative, a government undertaking or a government policy."

I have some concern that this piece of whistle-blowing legislation is going to be what many tell me they are concerned it will be, and that is, window dressing, that it will not offer any real protection to the civil servant who wants to expose wrongdoing by the government.

The third part that I think is quite interesting and also worthy of significant debate and, frankly, important

discussion, is the extension of political rights and political activity reform. I for one believe that individuals should be as involved in the democratic process as they would like to be. But I know there are many members of the civil service who are very concerned that the civil service would be seen as partisan and political in its performance of its duties if you have civil servants who are actively involved in the political process.

I'm not one who agrees with that point of view. I believe that what makes a civil service partisan is when you have partisan appointments made by the government and its ministers to civil service positions or when you have people who are not well and properly qualified winning competitions which have been fixed. We know of that starting with the appointment of David Agnew and we know what's happening at the Workers' Compensation Board: yet other examples of the kind of patronage which has resulted in a politicization of the civil service which has been unheard of in this province in decades.

We know there have been appointments right down to the director level, in just about every ministry, of the NDP's friends and supporters in the hope of changing the culture and the nature of the civil service to make it more responsive to the NDP.

I hear this every day and I'm very concerned about it, because I believe that a non-partisan, professional civil service which is dedicated to the public interest and serving whichever government happens to be in power at that time, from whichever party, is in the public interest and is in the interests of the taxpayers of this province.

I think the government does a disservice when it makes the civil service frustrated, when it makes civil servants less proud because they see people who are being appointed not on merit; they see people who are being appointed because of their political affiliation. I think that is wrong and I will speak out on that at every opportunity. One of the concerns I have is that the political activity components of this legislation may be misinterpreted.

The other point I'd like to make on the political activity reform is that as I've knocked on doors at election time, very often what people have said to me is, "I'm a civil servant and I would really rather not get involved, because I believe that civil servants should remain neutral." I've often said to those very same people that I respect that point of view, I respect their desire to remain neutral and be seen to be neutral, but that I believe if they wanted to participate, if they wanted to put a sign on their lawn, they shouldn't feel pressured; shouldn't feel pressured by the sitting member, the incumbent, nor should they feel pressured by the government.

One of the concerns that I have about the political activity reform contained in Bill 117, when you couple that with the politicization that's taken place within Ontario's public service over the last three years, is that civil servants may feel pressured: pressured if they want to keep their job, pressured to support the government at the time of the election, visibly with campaigning, and I worry about that, because my view is that political rights should be available for those who want them, but nobody

should fear that in exercising their political rights, their job will be in jeopardy.

I can tell you that there are many civil servants in Ontario today who know that they can legitimately participate in their free time and they are concerned that if that is exposed to the ministers, the NDP, it will jeopardize their chances for advancement, will jeopardize their chances for job respect, unless they clearly are in support of the NDP. What they have told me is that the attitude coming from this government and the political staff in ministers' offices is the message to the civil service, which is, "If you're not one of us, you're against us." That's the wrong message to go to civil servants who I believe and, I can say very clearly, I respect.

I worked with the civil servants over five years that we were in government. I have enormous respect for the people who consider themselves professional and non-partisan. They serve the government. They give the very best advice and information they can. They are not partisan and they are very hard-working. I respect that and I believe that it's important for the government to respect that quality of a professional, non-partisan civil service.

My concern is that political activity may do exactly the opposite of what it is intended to do in this legislation, not because what's here is badly written, but because what is here, again, is not the practice of what is taking place in government today. So I want to distinguish again between what's here and what is reality and the message the government is sending out to its own employees.

The concern that I have, as I've said before, is that I don't believe this is the time we should be dealing with this piece of legislation, with an omnibus bill that brings everything together. Frankly, I do believe that you could have individual pieces of legislation that would be dealt with comprehensively.

An example of that, and it's happened before in this House, was the Health Professions Regulation Act, where you had one piece of legislation that was the framework and individual pieces of legislation governing each of the professions. It was dealt with as a package but each bill received its own debate, each bill received its own scrutiny, each bill could be amended separately and unto itself. It went forward as a package, but if somebody wanted, and as it did happen, we saw amendments to some parts of the legislation and not others. People were free to support one piece and not another. It wasn't an all-or-nothing situation.

1710

If I were giving advice, and I am giving advice, to the government of another way of approaching the legislative agenda, it would be to look at that kind of package and bring each of these in at the same time, as a package, but as individual pieces of legislation. I think it would be clearer for people. It would be easier to understand. It would allow the issues to be separated. Under those circumstances there would be some parts of this legislation that I would be able to support.

So I want to be on the record and I also want to be helpful in offering the government suggestions on how it

can proceed in a way which I think would be easier for people to understand and which would then allow me to support some parts of the package.

I would like to state as well that I consider that Bill 117, overall, is not in the interests of workers or of civil servants, but it certainly is in the interests of the leadership of those unions. For example, OPSEU is going to get a lot of money from the new membership that it's going to get, those membership dues from excluded people who are being forced to join OPSEU. That's a lot of money.

So when we say that this bill is a payoff to unions, let me tell you, I will personally believe that this is part of the government's agenda to try and woo its friends back after the social contract and the criticisms it has been receiving from the unions, particularly from union leadership, and from those who are trying to separate themselves from the NDP. I think one of the reasons the government is bringing forward Bill 117 at this time is to try and smooth the feathers of its friends by giving them more money in the union coffers.

I know a lot of civil servants who have had their wages frozen or rolled back, who aren't getting the increases that collective bargaining gave them early in the Bob Rae administration. Not only are they disappointed, but now they're going to have to be paying additional dues to a union, which will result in yet lower take-home pay. Many of them are feeling angry and frustrated, and some are very worried about that.

The concern that we have regarding this particular piece of legislation is that—and I mention this in the context of government's ability to manage. If I'm going to be very specific, and I like to be specific so people will know exactly what I'm talking about, when the social contract legislation, Bill 48, expires in 1996, the public sector unions, I believe, will attempt and will be able—and I hope not successfully—to blackmail the province into catch-up and giving the kinds of wage increases that have been suppressed through the time of the social contract. I think the threat of that blackmail will be the threat of widespread public sector, public service, strikes.

This legislation will give the right to strike. There's a lot of pent-up anger and frustration, and if it's then used as a weapon automatically in 1996, I don't believe that's in the public interest. I think there is an erroneous expectation among many that the wage increases that were negotiated in 1990-91 under Bob Rae's government and then were taken back by the social contract legislation, Bill 48, will be automatically due in 1996 when the social contract legislation expires. We should be very, very clear that this is an erroneous impression, a wrong impression.

I believe that the original wage increases that were negotiated were unaffordable. In the summer of 1990, during that election campaign, when we were talking about restraint and the need to face this recession in a way which would not damage the economy and not increase wages, people were very angry. Many did not vote for us because we told them, and we were telling them at the bargaining table, that no, we would not be increasing wages.

When the government changed and Bob Rae gave wage increases, I stood in my place here in this House and I said: "The government can't afford to do this. It will hurt the economy, and because of this misguided economic policy we will see job loss." Unfortunately, I was correct. That's exactly what happened.

Then we saw the social contract legislation, which attempted in a clumsy and complex way—it was more than just clumsy and misguided; it was very complex and it created frustrations and angers that I think will stay for a long time in the public sector workforce in this province, that long time being at least until 1996.

When that occurs, those people are going to have an expectation that all will be well, that the world will return and that all the agreements that were negotiated will automatically trigger. As we've expressed in this House time and time again, the costs in Bill 48, the social contract legislation, have just been pushed forward into the future, and in 1996 I believe we could well see a kind of unrest and disruption because of the unreasonable expectations that Bill 117 creates within the public sector. It provides them with the tool to attempt to pressure the taxpayer, because that's who they're pressuring; they're not pressuring the government.

The government is the guardian of the tax dollars of the taxpayer, and if government agrees to wage increases, that means higher taxes. We have seen that through the term of this NDP government the last three years and, frankly, that was the reason for the tax increases that were put forward by the Liberal Treasurer between 1985 and 1990. It was to pay for increased wages in the broader public sector.

During that same period of time of 1980 to 1985, there were increases of wages in the private sector, and legitimately the public sector was saying, "We deserve to have our wages increased as well." The government raised wages. They had to be paid for by taxes.

There's a big difference with the fragile nature of the economic recovery, and the taxpayers, many of whom work for the provincial government—one out of five in this province works for the provincial government. They are also saying: "We don't want to pay any more taxes. Enough taxes. No more taxes. You're going to have to find a better way to deliver your programs. No more taxes."

We've had a commitment from Lyn McLeod that says no more taxes. With that is a commitment. The message is really clear: There's not going to be a lot of money for wage increases. Therefore, if Bill 117 is sending out a message that says you'll have the right to strike for higher wage increases, this legislation is doing a disservice not only to those public service workers who will believe they now have the tools to increase their wages, but to the taxpayer, who is I think heavily burdened and very concerned about the economic recovery.

I wanted to make that point and I wanted to make it very clearly because I believe this legislation, coupled with the social contract legislation, will tie the hands of the government in a way which will make it very difficult to manage our economy in a productive and healthy way to encourage job creation in the post-social contract era.

The other concern I have is that in this legislation, because the government has left it to future negotiations, it is not adequately protecting essential services. We heard the Minister of Labour say that he is protecting critical services by negotiating what public sector workers are vital to the public interest. However, it's my view, and I say this to the Labour minister, who is here at this time, that the public good is not negotiable. The government has the responsibility to state very clearly what it considers essential services. That is in the public interest. My view, and I'll repeat it again, is that the public interest is not negotiable.

Mr Turnbull: On a point of order, Madam Speaker: I don't believe a quorum is present.

The Acting Speaker: The member for York Mills, on a point of order, has asked if there is a quorum. Would the clerk determine if there is a quorum.

Acting Clerk Assistant (Ms Lisa Freedman): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

1720

Acting Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The member for Oriole has the floor.

Mrs Caplan: As this debate draws to a close, and I note that there's just a few minutes left, I think one of the points that I'd like to make as strongly and as passionately as I can is that it is the responsibility of the government, no matter who the government is, to act in the public interest. Bill 117 sees the NDP government setting aside that responsibility in favour of negotiations.

The concern that I have, as I said before, is it is the responsibility of the government to act in the interest of all Ontarians, not just the unions. The public interest in the determination of essential and crucial services in my view should not be negotiable. That is something which the provincial government must decide: what is essential, what is crucial, what is vital. It should be enshrined in the legislation. In my view that is the right and the responsibility of the government and that is a very important starting point and principle for the development of this kind of legislation.

Its absence alone is sufficient, in my view, to not support this legislation, to make this legislation unsupportable, simply because it doesn't clearly define the public interest in terms of essential, crucial and vital services.

The other point that I'd like to make is: We have heard this government talk a lot about consultation. The concern that I have as it relates to Bill 117 is the flawed process that we have seen in the development of this legislation and in the labour legislation, the pieces that are contained in this.

We know that there was a flawed process of consultation on the crown employees collective bargaining reform, as it was in Bill 49. We know that Bob Rae and the NDP only decided to talk to affected workers after the vocal protests that came not only from their own workers but from members of the official opposition.

I can tell you that if you're going to bring people along in understanding of your legislation and the proposals, it is very important to have those forums available for discussion. It's my hope that this legislation will go to committee for full consideration on all aspects of it.

I hope that the government will consider breaking this legislation into individual pieces of legislation so that it can be dealt with as a package but still in separate pieces of legislation to be considered.

It's also my concern that this is a package of just Labour legislation. As I started my remarks I pointed out that some of this legislation was the responsibility of the Chair of Management Board. I felt that was very important because the Chair of Management Board technically is the employer of the government. All of the civil servants in the province of Ontario technically work for Management Board. The Human Resources Secretariat is a part of Management Board. Therefore, Management Board legislation is what is required to set out the rights and the responsibilities of employer in relationship to their employees. The fact that this legislation in totality is being carried only by the Minister of Labour I think signals in a very poor way that the traditional role carried out by the Chair of Management Board, in his or her responsibility as employer, is in some way being diminished.

Let me repeat, because I think it's an important point. By making this Labour legislation in its totality, the signal that is being sent is that Management Board's ability to manage it is being weakened. That means government's ability to govern is being weakened, and it tilts what was, in my view, a level playing field, although it was in need of change—I'm not saying changes were not required, but one of the changes that was not required was a tilt in those policies clearly towards Labour and away from Management Board.

It's my view that the balance should have been maintained, that the role of the Chairman of Management Board was critical in maintaining that balance, and that this piece of legislation, untimely as it is, carried by the Minister of Labour, is the wrong signal at the wrong time. Rather than having a piece of legislation which deals with rights and responsibilities of employers and sets up the mechanism for an employer-employee relationship, what this does instead is give additional signals of the government's inability to manage.

We've talked about, and I think the word is often overused, the NDP's mismanagement of the economy. My concern is that add this to that pot, and you will yet see mismanagement of labour relations within the Ontario public service.

The bottom line is, this is a time for jobs and the economy, not a time for yet another piece of labour legislation. I thank you for your attention.

The Acting Speaker: The member's time has expired. Now we have questions and/or comments. The member for Downsview.

Mr Perruzza: It's a real opportunity and a treat to get the opportunity to be able to respond to the honourable

member for Oriole. As you know and as I know, it's not often you get the opportunity to do that, but I'm glad to see that she's here today and I would urge her to come more often so that she can participate more often. You'd have more of an opportunity to respond to—

Mrs Caplan: On a point of order, Madam Speaker: It is unparliamentary to impute motives in this House, and as a matter of parliamentary courtesy, we generally don't discuss absences. For the information of the member, I spent the last two days at the breast cancer forum in Montreal where I will point out to him that only one junior policy advisor of the Ministry of Health was in attendance. I was there and that's why I was not here in this House.

The Acting Speaker: Thank you. That is not a point of order, it's a point of information.

Mr Perruzza: All I meant to say is—there's no motive here—I'd just like to see her more often. I don't see her often enough, that's all I meant to say, so that I'd have more of an opportunity to be able to comment on some of the speeches that she gives here.

We're elected here to provide some sense of leadership and confidence. In opposition, I understand you have a role and you need to be critical, so be critical but be accurate, be productive, so that at the end of the day, whatever happens, confidence is inspired. That's how you win the confidence of the people, not just by simply being all over the map.

We have one of the best job-creation programs anywhere in the country, probably anywhere in North America, and those facts were clearly misrepresented here this afternoon. To belittle this bill, a bill which introduces whistle-blowing legislation and quite frankly has a potential for wiping out all kinds of waste within government, does an injustice to Ontario and all of its citizenry.

The Acting Speaker: The member's time has expired. Further questions and/or comments? Any other people who wish to participate?

Mr Callahan: I want to pick up, in the very short time I have, on one of the points that my colleague made. It's the fact that it seems to be the tradition of this government to bring in bills that are called omnibus bills. There are occasions when omnibus bills are essential and beneficial, but when omnibus bills are brought in with little secrets or little pockets in there that the government wishes to sneak through the Legislature, I find that objectionable.

1730

I remember debating the photo-radar bill, and there were things in there that I suggest perhaps people overlooked. It's overlooked because one is looking at a bill and assuming that it's dealing with the one particular issue.

If there's one principle that legislators should always keep in mind, it is the fact that laws should be clear. They should be able to be debated fully. Of course, we were denied that opportunity as a result of the changes in the rules in this House. They should be laws that can be interpreted properly by judges—in that respect, they should be clear—in order to ensure that there's justice for

people who are the subjects of those laws. That's one of the objections I've taken.

I've seen a lot of omnibus bills come through this House. They purport to be a bill under, let's say, Health, and you'll find, if you look through the bill carefully, that there will be all sorts of topics in that bill. As my friend, my colleague from Oriole said, it's very difficult at times to debate those in a logical fashion.

It's difficult for the people of this province who watch the debates in this House to perhaps follow what is going on. I think a further hallmark of a democratic society, particularly when you're televised, is the fact that the electorate out there has an opportunity to fully follow the proceedings of their elected members.

Mr Stockwell: One of the issues I'd like the member for Oriole to comment on is with respect to the expansion of the union within the public service and what kind of financial impact that would have had when this was originally announced by the government in power.

In my opinion, if there was some kind of improvement to the large private sector corporations by a Conservative government, there would be charges by the socialists—and there have been charges by the socialists in the past—that the Conservative government, or maybe it would be a Liberal government, was somehow pandering to big business, in effect because they were close and they donated to campaigns etc, etc.

All things being equal, it seems to me that with the expansion of unionization across this province and the direct relationship between unions and the NDP, although it's a little more tenuous than it used to be, there would be some people out there, the cynical sorts—not I, for one—but certainly some cynical sorts who would think that with the expansion of these rights and the inclusions of certain groups into unions and negotiating bodies, somehow the government would benefit through expansion of dollars into the New Democratic Party coffers.

I wonder if maybe the member would want to comment on that, because it would seem to me that there's going to be a benefit here, particularly if checkoff is included. We all know what checkoff is. That's where you pay union dues, you check it off, and some of those go to the New Democratic Party of Ontario and the New Democratic Party of Canada. There are these things that take place.

The average citizen doesn't know it, but there's a very close, tight-knit relationship between unions and the NDP. I think we should have a comment on this and see whether or not, when this was introduced, there was a conflict; today, maybe not nearly as bad, but maybe when it was in place.

Mr Cooper: I'd like to thank the member for Mississauga West and the member for Oriole for their joint presentation.

A couple of things that were raised: About this coming forward now, it didn't just appear. With CECBA, the reform's been in the process for six years, and it's taken quite a while to get it together.

As for the political activity, rights of the whistleblower, they were both announced in the 1990 throne

speech that this government put forward. With the unconstitutionality put forward by the courts for the political rights' section, we have to respond to that. In 1991, we sent out a consultation paper on the whistleblower legislation—

Mr Stockwell: On a point of order, Madam Speaker: I just don't think there's a quorum.

The Acting Speaker: Could the clerk please determine if a quorum is present.

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: The member for Kitchener-Wilmot.

Mr Cooper: As I was stating, there has been a process in place, and that's the reason why this is coming forward now. They were talking about why we're doing this and not job creation. The point is, fairness for workers has to go hand in hand with job creation; job creation alone isn't good enough.

As for the last comments that were made about why we're allowing the right to strike, basically what we're saying is that under the old system nobody was responsible. By bringing in the right to strike, the employer and the employee both have to be responsible, because they have to sit down face to face. They obviously have a vested interest in what's going on, and that creates more fairness.

As for the question that the member for Mississauga West raised about the membership going into OPSEU, what's happening now is that these people, who were excluded under the old CECBA, will be placed into the bargaining unit, where they should have been appropriately placed in the first place.

The Acting Speaker: The member for Oriole has two minutes to respond.

Mrs Caplan: To the member for Etobicoke West, who I thought made some very good points, the estimate's been made on new dues for union coffers at about \$10 million in additional revenue. This is from the dues of the 9,000 civil servants who will now be paying dues either to OPSEU or to the other unions that it is possible will represent the civil service. The estimate is more than \$10 million.

1740

There were some interesting questions that were raised, but in the two minutes remaining there's not a lot of time to get into a lot of substance. The member from Kitchener raised some interesting points. The concern that I have is not that those issues don't have to be addressed; I have clearly explained that I think some of them are worthy of support, not because they came in the NDP throne speech and not just because they were, in the court's opinion, necessary for government to do as far as changing and upgrading are concerned, but that they're all put together here in one piece of legislation, where it's a take-it-or-leave-it package on the whole.

We have seen more legislation from the NDP government than we have seen, I think, from any other government in this period of time. Perhaps the ties between the NDP and the labour movement are part of that, or maybe it is that the government doesn't realize the importance of an economic agenda at this time as we come out of the recession.

The point I would make is that my constituents are saying to me, notwithstanding the concerns that have been raised by the member for Kitchener and others, that what they're interested in is action to improve the economy, increase job opportunity, protect the jobs that are there. This legislation doesn't do it, and there's enough concern I have about parts of it that I will be unable to support this legislation in principle on second reading. I will work to try to amend it in committee, but I would still say it is wrong at this time to be putting our energy and attention into labour legislation.

The Acting Speaker (Mr Noble Villeneuve): Thank you. The member's time has expired. Questions and/or comments?

Mr Turnbull: Mr Speaker, I think it is further debate that we're on.

The Acting Speaker: Sorry; it is further debate. It's the Speaker's mistake.

Mr Turnbull: I'm pleased to rise to speak to this bill today, this tome of 50 pages that we were presented with just a week ago, and in fact the compendium to this was approximately an inch and a half thick. We've been given one week to digest this very sweeping legislation.

I will start out by saying that the CECBA reform is basically the forced unionization of 9,000 of the civil service. These are people who essentially don't want to be unionized. We have a blatant example of a payback by this government to OPSEU, to the union bosses, for the few eggs it's broken lately. This government is trying to get back into its favour. I see my friend Mr Kormos is laughing at what I'm saying. He tends to agree, I think. Well, I don't think it's going to work.

The current difficulties that the union leadership are having in keeping its members in the NDP are quite manifest, and so the government comes forward with this effort to pay off the unions. I would suggest, as has been suggested before, that there is a fundamental conflict of interest in this bill brought in by the Honourable B. Mackenzie, Minister of Labour, this long-time union member who is doing his best to destroy the prospects for the economic recovery of this province. We've already seen what he did with Bill 40, and what we're seeing here is essentially an attempt to mirror that piece of flawed legislation in respect to the government employees.

I would ask anybody who is considering the merits of this bill, do you think the post office is a good idea with the regular strikes that we've had in the post office? What we've had is a deterioration of service. We've had great strife between the union and the management and essentially no satisfaction for the public. That, after all, is what the acid test should be, as to how public servants treat the public, because that is their only function.

Government doesn't exist to create jobs in the civil service. They have the civil service because essential functions of government have to be carried out and they involve services to the taxpayers, the people who pay us all our salaries, the taxpayers who are absolutely fed up with this government. They're fed up with everything you do and they're absolutely repelled by the idea that you now want to give unions the right to strike as the payoff to try to get the unions off your back, to get them to forget about that wonderful piece of legislation, the social contract. We know how flawed that was.

We need, when we're dealing with public sector workers, to get rid of strikes in all areas, but we essentially need to address the problems with the way they're paid at the moment, because all of the arbitrated settlements we've had in Ontario, and in fact in Canada, have run ahead of the private sector. That's because the arbitrators who have been chosen haven't been directed that there was a narrow band of specifications to their job. They should be directed that these are the fiscal realities of the province and that they can only find for the union within that band, within the economic reality.

I remember when the Premier came in here somewhat spitting blood over the settlement that had been made with the TTC because it made him look bad. That's the basic problem. If you have public sector workers who are getting pay settlements to disputes which are way out of line with the private sector, the private sector will, more and more, begin to object to the—

Interjections.

Mr Turnbull: Mr Speaker, can you shut this man up who's jabbering away here?

The Acting Speaker: Order, please. I know it's Thursday afternoon and getting late, but these comments don't assist in keeping some semblance of civility here. The member for York Mills.

Mr Turnbull: Mr Speaker, we're talking about a unionization of 9,000 civil servants, of which 2,000 will be forced into OPSEU with no right for a secret ballot to decide whether they want to go into that union. They're just simply being told they have to go into that union.

Mr Stockwell: On a point of order, Mr Speaker: His information that he's bringing forward is very salient and to the point and I think we should have a quorum to hear it.

The Acting Speaker: Do we have a quorum?

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: The honourable member for York Mills may resume his participation in the debate.

Mr Turnbull: As I was saying, Mr Speaker, 2,000 of these 9,000 employees are going to be forced into OPSEU. No choices, no secret ballot—you're into OPSEU whether you like it or not. This is the state of democracy in this province. I can't imagine a party having the name New Democratic Party and saying it's

going to absolutely force people into a union whether they like it or not, but that is in fact what's happening.

Let's look at the legislative agenda for this province. They've brought forward this legislation with one week for us to study it for second reading. This week we've had two days of debate on closure motions that the government has made, closure motions, first of all, on photo-radar, which is a highly controversial bill where I would suggest 95% of the people who have any opinion on it at all are against it, and this government is not allowing any scrutiny by the public. They're not allowing any public input.

1750

When the Minister of Transportation was challenged on this issue the other day, he suggested, "Oh, yes; there are public hearings." So I went to the subcommittee meeting yesterday, and we were told, "Oh, you can chop up the two days as you wish." The clause-by-clause consideration of that bill alone will take more than two days. But the government has already anticipated that. They've said that by 4 o'clock on the second day of those two days they're allowing us, if any amendments have not been considered, then they will be considered to have been brought into the record and we will start voting, whether we've discussed the various clauses or the amendments or not.

We're bringing in sweeping changes which will undoubtedly lead to charter challenges. Notwithstanding that, the government is saying, "We're going to give you two days of debate." How can you call yourself the New Democratic Party? You don't know what "democratic" means.

Reading from the throne speech, from when the government first got elected, it talked about: "My government's first challenge is to earn the trust and respect of the people of Ontario. My government's integrity will be measured by the way this government is run and our relations with the people we serve. Our task is to guard against institutional arrogance and the abuse of power wherever they exist."

What better example of abuse of power than to bring in time allocation which says that there will be two days in committee and that there will be no committee of the whole consideration of the bill and then there will be one day of third reading, which brings me back to Bill 117. Why do we have this bill today? We have it because the government is embarrassed by what it is doing on the other fronts, by its casino bill and by its photo-radar bill, bills which are widely unpopular with the public, and the government seeks to close them down. So they backfill their agenda by bringing forward this legislation today, with one week to consider a tome of one-and-a-half-inch-thick notes as the attachment to a bill and a bill which covers 50 pages.

We're talking about the politicization of the civil service. What is the government doing about this? Well, they're forcing people into unions, and they're also allowing lower-level members of the civil service to get into political activities. I would suggest to the government that it ain't going to work, because they're not going to work for you in the next election, much as you

may wish them to, because we listen very carefully.

Quite frankly, we had a very professional civil service, and I believe that it is appropriate that we allow political activity from the lower levels, but one has to question why the government is doing this at the moment. The reason that they're allowing political affiliation is quite simply because the courts have ordered them to do it. But the more sinister part of this is the forced unionization.

We have another part of the bill, which is the whistle-blowing portion. They've been in power for three years and yet they said in their throne speech that they're going to introduce whistle-blowing legislation. When they were in opposition, the NDP always used to talk about much wider-ranging whistle-blowing legislation than what we've got before us. But I guess they are worried about the leaks that will come out.

Well, gentlemen and ladies, I've got news for you: This is not going to stop brown envelopes coming to the opposition, because the civil service are disgusted with the way you're conducting business, but it will allow for the reporting of gross mismanagement by any government, and that is to be commended. But why would you have concerns about gross mismanagement if it wasn't for the fact that this government has politicized the civil service?

It's widely acknowledged that the civil service of Ontario was one of the most professional, best managed in the whole of North America. When the Liberals, to their credit, took over from the Conservatives, they continued on with a relatively unpoliticized civil service. Yes, they made a few changes at the top, and I think it's reasonable that an incoming political party should have the right to make some senior changes.

But that's not what this government has done. They have loaded the civil service with blatantly politicized appointments starting with the Premier's own big buddy, Mr Agnew, who led the NDP election and is now at the head of the civil service. I don't think there could be any more blatant politicization of the civil service than that.

I've got a list of jobs for the friends of the NDP, just to consider some of the people we've seen since the NDP became government:

Stephen Lewis was appointed by the Premier to race relations adviser.

Jack Layton, a former NDP alderman and defeated NDP candidate for mayor of Toronto and also defeated in his efforts to get into the federal House, to a great extent I would say torpedoed by the Premier of this province, was appointed as a consultant and facilitator for a review of the Public Hospitals Act in the Minister of Health's office. He's being paid \$300 a day for the job that the minister maintains could have been done by one of the 12,000 civil servants already employed by the ministry.

Linda Jolson, a former vice-president of corporate relations for Manitoba Hydro, that bastion of socialism out west. Jolson is the wife of Doug Davison, former assistant deputy labour minister in Howard Pawley's NDP government.

Marc Eliesen, who of course has departed now, a veteran civil servant with ties to the NDP in the Manitoba

government under Edward Schreyer in 1970 to 1974, was brought in at \$400,000 a year to head up Ontario Hydro, which was subsequently cut back because of embarrassment to the government when we disclosed how much he was being paid.

Dale Martin is a former president of Lakehead University's campus Communist party, and Toronto NDP alderman from 1984 to 1991. As an alderman, Martin was a vocal opponent of development projects around Metro and appealed to the OMB on several occasions to voice his opposition. The OMB found Martin to have abused the process with frivolous and vexatious matters in order to hold up projects and ordered him to pay legal costs of the developers involved. Guess what? He was appointed in April 1992 as facilitator of the Ontario Municipal Board.

Karl Morin-Strom, a former NDP member of the Legislative Assembly, was appointed to the Ontario Northland Transportation Commission as a corporate planner.

Richard Johnston, former NDP member, Scarborough West, was given 60 days to report on the Toronto Islands.

We've got Shelley Acheson, who was appointed as a special assistant to the Minister of Health on equity issues, Patricia Bishop, Larry Corea, Lin Grist, Andrea Knight, Dan Leckie, Michael Decter—oh yes, this is one which we always enjoy, a former planning secretary to the cabinet during the Schreyer administration in Manitoba, and of course we know that this is somebody who's been expensing around \$100,000 a year to the government—some payoff.

Some government of integrity. I'll tell you, I don't

think there's any integrity in this government, and this legislation that it's brought forward is not a reflection of integrity; it's a reflection of payouts to the unions that put it there. But it won't be sufficient to save them.

It being 6 of the clock, I would adjourn the debate.

BUSINESS OF THE HOUSE

The Acting Speaker (Mr Noble Villeneuve): I believe the Minister of Municipal Affairs has the outline for next week.

Hon Ed Philip (Minister of Municipal Affairs): Pursuant to standing order 55, I'd like to indicate the business of the House for the week of November 22.

On Monday, November 22, we will consider an opposition day motion standing in the name of Mr Tilson.

On Tuesday, November 23, we will complete second reading of Bill 47. Following that, we will consider government notice of motion number 13.

On Wednesday, November 24, we will continue second reading of Bill 117, the public service omnibus bill.

On Thursday, November 25, during the time reserved for private members' public business, we will consider ballot item 37, a resolution standing in the name of Mr Perruzza, and ballot item number 38, a resolution standing in the name of Mrs Sullivan. The business for Thursday afternoon is still under discussion between the three House leaders and will be announced.

The Acting Speaker: It being 6 of the clock, this House stands adjourned until Monday, November 22 at 1:30 pm of the clock.

The House adjourned at 1801.

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Honourable David Warner

Clerk
Claude L. DesRosiers

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Monday 22 November 1993

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS

VIOLENCE AGAINST WOMEN

Ms Dianne Poole (Eglinton): A recent Statistics Canada survey showed that more than half of all Canadian women have been physically or sexually assaulted at least once in their adult lives. In hard numbers, that means more than five million adult Canadian women have been assaulted.

There are those who have attacked the reliability of previous studies by other groups on the extent of violence against women: attacks by people who don't believe and don't wish to believe that violence is that endemic and that widespread. But Statscan is known for its reliability and its accurate methodology. Surely the naysayers now have to admit we have a serious problem.

The NDP has pledged resources to deal with the results of the violence, and we support measures such as core funding for women's shelters and training of the judiciary and the police, to name a few. But the NDP government has done nothing to get to the root of the problem.

What has the NDP done to stem the proliferation of slasher films, films which celebrate the brutalization and death of young women? The answer: nothing.

What has the NDP done to keep violent video games and serial killer trading cards out of the hands of our young people? The answer: They've been all too silent, saying it's not in their job description.

It's time for action, not words. If the NDP truly wants to stop violence against women, it has to attack the roots of the problem, not just the result.

RETAIL SALES TAX

Mr Ted Arnott (Wellington): This morning, representatives of the Brew on Premise Association of Ontario held a news conference at Queen's Park to draw attention to the devastating effects of the government's 26-cent-a-litre tax on beer and wine produced in brew-your-own establishments. As the Conservative advocate for small business, I was at that news conference.

The association's president, Mark Hamelin, indicated that in August and September of this year alone, approximately 186 full-time and 225 part-time jobs have been lost as a result of this tax.

In response to a previous statement I gave in the Legislature on this issue, the Minister of Finance replied in writing, "The tax of 26 cents a litre was carefully chosen so as not to undermine the viability of this sector."

The minister obviously has not done his homework on this issue. The Brew on Premise Association says that since August 1, 10 of its members have gone bankrupt, while 33 businesses were in, or on the verge of, receivership. This tax is also killing businesses in Wellington county.

I have met with George and Karen Pudsey, who own

a brew-your-own business in Erin. They've told me they have seen a significant drop in their business, they believe, as a direct result of this punitive tax.

Our party's small business task force has been touring southwestern Ontario last week. Small business owners have told us again and again that high taxes and red tape are killing businesses and jobs. The brew-your-own establishments are a prime example of government taxation policy killing small business.

The Premier has stated his priority is jobs, jobs, jobs. If that is this government's priority, then it must scrap this tax before even more jobs and businesses are lost.

YOUTH ACTION CENTRE

Mr David Winninger (London South): I'm pleased to rise today in the House to recognize the efforts of the London Coordinating Council for Children and Youth in establishing a new Youth Action Centre in downtown London.

The coordinating council represents 70 agencies which serve children and youth in the London area. In the past, the council has played a leading role in providing referrals and advocacy for our young people. For the first time, the council has undertaken the lead with 30 other agencies with a youth focus in providing an information and referral centre for youth.

Young people, primarily off the streets, can stop in to get information and referrals on their health, social assistance, housing, education and employment needs. There will even be light snacks and a few cots if hunger or fatigue are among the immediate problems.

I would like to express my gratitude to Don Donner and Frank Capitano of the council and the members of the executive committee of the Youth Action Centre for their vision in bringing this centre to reality. Money spent wisely now to meet the needs of vulnerable street kids will save a great deal more money later on court and correctional facilities, health care, special education and a variety of other services for dysfunctional adults.

COURT FACILITY

Mr Robert V. Callahan (Brampton South): Mr Speaker, as you know, I have made two statements in this House with reference to the bypassing of our community, Peel region, in terms of a courthouse. I'm rising once again, because today I'm going to be going out to meet with my mayor and the council, who have called a special meeting to discuss this very important issue.

As I've said before, Peel region is one of the fastest growing areas in North America. We have the airport, which makes our case load much higher. Our courts and our crown attorneys work feverishly to meet the test.

I'm hoping today that the Premier will back up statements he made to the press to the effect that this project is on-line, is continuing, will be dealt with expeditiously, and that in fact I can count on that and the people of my community can count on that.

If they can't, if this is nothing more than politics being played out, I would suggest that the Premier is going

against his word last week in the House where he said, and I agree with him, that justice is not something we play politics with. It's a very fragile commodity, a very fragile concept.

I will be asking the Premier to commit clearly and definitively that the Brampton courthouse will proceed and that it will proceed on time. I understand there are reports that there will be a ground-breaking in the spring. I will certainly look forward to that feverishly, as will the entire legal community in my area. I will be expecting that the Premier will answer my question and not refer it to the Attorney General when I ask it.

LANDFILL

Mr David Tilson (Dufferin-Peel): Today we'll be debating the resolution introduced by myself with respect to waste management in the greater Toronto area and indeed the province of Ontario. I encourage all members to participate in this debate on such issues that include:

The NDP government continuing to proceed with the Interim Waste Authority process of selecting dumps in the regions of Peel, Durham and York without considering any alternatives;

The continuation of this process breaks the NDP promise made during the last provincial election as outlined in the Agenda for People;

This NDP government will destroy farm lands by placing the three sites on existing farms, will threaten the environment by placing sites on aquifers, and destroy community life by forcing residents out of their homes and away from their communities;

The fundamental rights of the residents in the three regions have been violated by the arbitrary decision to rule out any other alternatives;

The NDP government has dictated the IWA process by passing Bill 143, forcing the greater Toronto area to accommodate sites for their garbage;

The NDP government must be made accountable for its bad decisions.

The Ontario Progressive Conservative Party therefore calls on the NDP government to repeal Bill 143, disband the Interim Waste Authority and place a moratorium on the process of finding three superdumps within the greater Toronto area until all alternatives have been explored and researched, including the long-rail-haul option to willing host communities, incineration and better product management.

1340

EVENTS IN PETERBOROUGH

Ms Jenny Carter (Peterborough): I want to congratulate the citizens of Peterborough on the exemplary way in which we are working together to overcome the difficulties of our times.

I would like to draw attention to four particular examples of this cooperation.

The first is a coming together under one roof of five social service agencies. Adjacent suites mean easier cooperation, sharing of equipment such as photocopiers and a shared boardroom provided, rent-free, by landlord, AON Inc. Good work. This is cheaper for the taxpayers

and better serves the clients.

Secondly, the arts community in Peterborough now has a shared facility, rent-free, in Peterborough Square, Gallery in the Square. This is a place to exhibit and sell local art, a box office for local theatre groups, a rehearsal space and more.

Thirdly, we have the steering committee working hard to bring an environmental research industrial park to Peterborough. Trent University, Sir Sandford Fleming College, city hall, the county of Peterborough, the Greater Peterborough Economic Council and the chamber of commerce are working together to make this a reality.

Of course our two hospitals, Civic and St Joseph's, have been working together for a long time. Their integration is well advanced.

Congratulations to all concerned and more power to your elbows.

EMPLOYMENT EQUITY

Mr James J. Bradley (St Catharines): Despite the retreat under pressure on the issue of the now infamous ad in the internal Ontario government publication, the ad which told white males that they need not apply for a senior position in the Management Board of Cabinet, concerns remain that the Rae government plans to extend this policy to a much wider spectrum of jobs in the Ontario civil service.

While most people in our province would be fairminded enough to see that individuals who in the past have been very unrepresented in government positions are given a chance to compete for public service jobs, they find repulsive, as I do, the prohibiting of one segment of our population from having access to any and all government positions available.

Although the Premier ordered the withdrawing of the controversial and unacceptable ad for the Management Board position, a leaked government document now reveals that the Rae administration has been planning to widen the use of so-called limited eligibility competitions.

All citizens of this province, regardless of race, creed, ethnic background or gender, deserve the right to be considered for jobs in our public service in Ontario. The Premier should give orders that this practice will be halted in the interest of fairness and the interest of quelling the understandable backlash to the efforts to make our public service more representative.

WASTE MANAGEMENT

Mr David Johnson (Don Mills): I'm calling on the Ministry of Environment and Energy to consider all methods of waste disposal including the willing host option, such as the Adams mine site near Kirkland Lake, and including incineration, provided these options can be implemented in an environmentally safe way.

The head of the Interim Waste Authority has indicated to mayors and councillors from the greater Toronto area that the ministry is considering alternative methods of disposal but not for Metro Toronto's garbage problem.

Yet the citizens of Vaughan, the citizens of Pickering and the citizens of Caledon are totally opposed to the recently announced landfill sites in their communities

because of the damage to the environment and the waste of good farm land.

Metro Toronto has such little confidence in the government's Interim Waste Authority process that it will within the next few weeks officially seek a willing host site for waste disposal. Metro has an obligation to provide waste disposal for its residents and cannot rely on a flawed provincial process which is doomed to enormous conflict, expensive legal battles, endless delay and ultimate failure.

The GTA mayors are saying to this government: "You have already spent \$50 million in taxpayers' money. Surely you owe it to the taxpayer to consider a 'willing host' option and all other options to resolve this problem before it becomes a crisis for municipalities."

FIRE PREVENTION AND PUBLIC EDUCATION AWARDS

Ms Zanana L. Akande (St Andrew-St Patrick): I rise in the House today to recognize the efforts of two Ontario citizens who have received the Ontario Fire Prevention and Public Education Awards, which recognize the dedication and commitment of people whose actions in the area of fire safety have helped make their communities safer.

Dr Mark Hanson, within the Family Court Clinic at the Clarke Institute of Psychiatry, assisted in the development of a community-based screening and intervention program to help children who start fires.

Mr Angus Crawford, with the financial support of Young and Rubicam Ltd of Toronto, created and produced a series of fire safety educational posters designed to combat the growing problem of juvenile arsonists, reduce the number of malicious false alarms, and increase the public awareness of the dangers of careless smoking.

These gentlemen were presented with their awards on November 4, and I bring their names to the House today to further recognize their efforts and to add our congratulations for their achievements.

ESTIMATES

The Speaker (Hon David Warner): Standing order 62(a) provides that "The standing committee on estimates shall present one report with respect to all of the estimates and supplementary estimates considered pursuant to standing orders 59 and 61 no later than the third Thursday in November of each calendar year."

The House not having received a report from the standing committee on estimates on Thursday, 18 November 1993, respecting the estimates of the Ministry of Economic Development and Trade, the Ministry of Community and Social Services, the Ministry of Natural Resources, the Ministry of Northern Development and Mines, and the Ministry of Culture, Tourism and Recreation as required by the standing orders of this House, pursuant to standing order 62(b), the estimates before the committee of the Ministry of Economic Development and Trade, the Ministry of Community and Social Services, the Ministry of Natural Resources, the Ministry of Northern Development and Mines, and the Ministry of Culture, Tourism and Recreation are deemed to be passed by the committee and are deemed to be reported to and received by the House.

STATEMENTS BY THE MINISTRY AND RESPONSES

ANTI-TOBACCO LEGISLATION

Hon Ruth Grier (Minister of Health): I am very proud to tell the House that later today I will be tabling the Tobacco Control Act, a far-reaching piece of legislation that takes strong steps to prevent young people from starting a deadly habit.

We're here today because of all the hard work and commitment of a coalition of health organizations. Some of them are here today in the gallery, and I want to pay tribute to them: the Non-Smokers' Rights Association, the Canadian Cancer Society, the Ontario Medical Association, the Ontario Campaign for Action on Tobacco, the Heart and Stroke Foundation of Ontario, and the Ontario Lung Association. All of them agree with us that it is time to act.

One in five deaths among adults in Ontario is attributed to tobacco use, and tobacco-related illnesses are responsible for 13,000 preventable premature deaths. Each year, \$3.5 billion is lost in Ontario alone because of premature mortality and unemployment caused by disability due to smoking. That's why we must act now.

This legislation embodies our commitment to health promotion and disease prevention. Our goal is to cut tobacco use in half by the year 2000. With this legislation, we'll be well on our way to achieving this goal.

I'm pleased to highlight the major features of the new legislation:

—We will make it illegal to give or sell cigarettes to anyone under 19.

—We will ban the sale of tobacco in pharmacies and other health facilities.

—We will prohibit the sale of tobacco products from vending machines.

—We will require retailers selling tobacco to post health warnings and age limits on their premises.

—We can require health warnings and other health information as part of tobacco packaging.

—We will monitor the sale of tobacco through mandatory reports from distributors and wholesalers.

—We will prohibit or restrict smoking in designated places.

—We will provide an effective enforcement mechanism that includes fines and bans on the sale of tobacco.

1350

We need this legislation now. For the past two years, smoking among grade 7 students has increased by 50%. There is no time to waste. Twenty-four per cent of Ontario students aged 12 to 19 now smoke. As renowned Oxford University epidemiologist Richard Peto has said, "If you want to kill yourself, the best way to do it is to start smoking as a teenager." We want to reach the young people of Ontario before they start smoking.

The statistics on tobacco use are frightening. Tobacco causes about 80% of all lung cancers, as well as many other forms of cancer, including mouth, throat, oesophagus and bladder cancer. Tobacco causes 80% of chronic lung disease such as emphysema and chronic bronchitis,

and one third of premature deaths due to heart disease.

Since 1970, the rate of lung cancer in women has tripled. It's now a major epidemic, the second leading cause of cancer deaths in women, with the number of deaths nearly equalling that for breast cancer, all as a result of women starting to smoke 20 to 30 years ago.

Secondhand or environmental tobacco smoke is linked to lung cancer and heart disease in non-smokers, and to respiratory problems in children and infants. We must protect these people who are most vulnerable.

That's why the ministry last year introduced its far-reaching tobacco strategy. Its focus is to prevent people, and particularly children and teens, from starting to smoke; to encourage smokers to quit; and to protect people from secondhand or environmental tobacco smoke.

Legislation is only one part of a comprehensive strategy. A soon-to-be-launched media and public education campaign will reach young people before they become addicted, and we are supporting province-wide community action with public health agencies and our other community partners.

We are not acting alone. We have widespread support for this legislation, and it follows an extensive period of public consultation. The ministry received 240 written submissions and heard 34 oral presentations. Our consultations confirmed that the legislation's focus, especially on tobacco use by young people, is right on target.

Our legislation supports and supplements the federal government's soon-to-be-proclaimed Tobacco Sales to Young Persons Act. While the Tobacco Control Act will give us regulatory power over packaging issues, we need a national strategy on packaging.

By preventing the province's number one health threat, we are protecting our health care system for future generations. Ontario is setting the standard for others to follow. Our health care reforms will make our system more efficient and effective, and this legislation is a major step towards achieving our goal of a healthier Ontario.

I want to pay tribute to the work that was done by my two predecessors as Minister of Health, both of whom are here today, to the minister without portfolio the member for Perth, to the member for Thunder Bay, to my parliamentary assistant from Simcoe Centre, and particularly to my parliamentary assistant the member for Durham-York, whose tireless efforts and work on educating all of us about the need for this legislation are shown in our statement today.

Mrs Barbara Sullivan (Halton Centre): I think it will be not unexpected if we say that this tobacco strategy and this Tobacco Control Act were a long time coming. The first promises that were made by this government with respect to this act were made before the Treasurer brought in his first budget in 1991. We certainly expected the legislation last spring, and even last September, when the 17 priority pieces of legislation were put on the table, the Tobacco Control Act was not one of them. So frankly, on November 22, 1993, we are pleased to see a step forward in this area.

We believe that beginning with youth is the appropri-

ate strategy, that we should start when the habit begins, before that habit becomes an addiction. One of the things we have noted is that the strategy with respect to sales that's included in the bill which the minister will table is comparable to the strategy that the federal government has adopted. I think it's positive to have a national strategy in that area.

I personally believe that we need much more work on behavioral influences with respect to smoking, the factors that lead to smoking in the first place, those elements of peer pressure or of wanting to look older or more sophisticated or whatever. Those things should be looked at. I believe those areas are far more influential in terms of starting smoking in the first place than where one is able to purchase cigarettes.

I believe it's disturbing that the data show that there is an increasing use of cigarettes among young women, and the data are consistent across North America in that respect. When one compares these data with new data with respect to lung cancer, and when we see that the incidence of lung cancer in women is overtaking breast cancer, we see some evident cause for concern not only today but in the future.

I am not certain, because we haven't seen the legislation, whether the aspects with respect to the designated smoking areas are in fact any different from those which are now included in our labour legislation.

I have been surprised that there is not an accompanying announcement from the Minister of Agriculture and Food with respect to additional exit strategies for those who participate in the tobacco industry.

We certainly want to know how the monitoring will occur and how one will ensure that the offences are indeed noted and taken into account.

My colleague from Ottawa South, as you know, has introduced a bill with respect to tobacco control, and I'm going to ask him to continue the response to this statement.

Mr Dalton McGuinty (Ottawa South): I want to begin by thanking and complimenting the minister for adopting in large measure my private member's bill.

The delay in the introduction of this bill is really nothing less than tragic. As the minister knows, every month, 3,000 kids in this province start smoking. During the past two and a half years, while the government dithered, that means 180,000 kids picked up the habit.

Studies show that 75% of our high school smokers become lifelong smokers. Studies also show that if you haven't started smoking by the time you're 19, it's very unlikely that you ever will. That's why anything in this bill that makes it harder for young people to get access to tobacco before 19 years is a good thing.

That leaves me to ask the question of why it is that the minister muddled the waters by banning cigarette sales in pharmacies. My research shows that banning sales in pharmacies will not reduce overall tobacco usage. If I'm a smoker and I want my smokes, I'll just go elsewhere. Secondly, I found that kids do not generally buy cigarettes from the pharmacists. Thirdly, I found that the pharmacist is more likely to ask for age identification

than the kid working the counter at the corner store.

Further, we're opening up a can of worms here, constitutionally speaking. There is a real issue as to the constitutionality of banning the sale of a legal product by one particular retailer out of many. It's one thing to restrict the sales of a legal product to one retailer. We can say in this province that you can only get your booze at the LCBO and you can only get your beer at The Beer Store, but it's another thing to say you can buy cigarettes anywhere, that anybody can sell cigarettes except one particular retailer. That's a problem.

Mr Jim Wilson (Simcoe West): I want to say at the outset that I agree and my caucus colleagues agree with the thrust of this legislation. We are supportive of legislation that's designed to stop young people from starting to smoke.

Others have said that the government's taken a long time to come up with this legislation, but when I read the legislation and when I note some of the flaws, I think the government is merely catching up with the federal government, which has already introduced legislation that contains much of a similar content to what the minister announced today. Indeed, it seems that this province is now trying to play catch-up in the hope that the public will give this Health minister and this government credit for this issue.

1400

This government is also playing catch-up with my colleague the member for Carleton, Mr Norm Sterling, who since 1985 has consistently and persistently put before this House and other places bills and resolutions to deal with this very issue. Back in 1985, he had introduced legislation to control smoking in the workplace and to control smoking in other public places. Indeed, it took till 1989 for the Liberal government of that day to do anything about that particular aspect of this issue. Mr Sterling did not let that deter him, though, and he continued throughout the 1980s and beyond to try and persuade governments to take action on this issue.

With respect to today's announcement, I think there are some flaws in this legislation. It's laudable for the government to attempt to control the consumption of tobacco products, but I don't think today's announcement will do very much at all to reduce consumption. It will only ensure that many pharmacists go up in smoke as a result of this new law. Banning tobacco from Ontario's 1,300 pharmacies will only shift and not control the consumption problem.

By removing the sale of tobacco products from pharmacies, the government has admitted that it's more concerned about the optics of selling tobacco in pharmacies than it is about the consumption problem, particularly the consumption problem among young people. I think this policy is grounded in optics and ignores the retail reality that pharmacists must deal with every day.

There are currently 28,000 retail outlets in Ontario that sell tobacco products. This includes other retail establishments which sell health-care-related products, such as grocery stores, discount stores and convenience stores. These stores are in direct competition with local phar-

macies. Drugstores are a legal part of the retailing stream and many rely on the sale of tobacco products to remain competitive. Removing their right to sell tobacco is discriminatory and damaging when 28,000 other retailers are allowed to continue to sell tobacco products.

One study done in Metro Toronto indicated that 12% to 20% of clients purchasing tobacco products bought one or more products at the same time. In other words, the ability for pharmacies to sell tobacco products brings people into their stores and allows them to buy other products as well.

Ministry of Health officials have admitted that they do not possess one single study which suggests that banning tobacco products from pharmacies will reduce the consumption of tobacco products among any groups, including adolescents. This discriminatory legislation will ruin many locally owned pharmacies. All big retail pharmacies have to do to circumvent this legislation is to erect a smoke shop or to erect a kiosk just outside their doors in the mall; that way they'll get around selling tobacco within the pharmacy but they'll own the smoke shop next door.

Minister, if you really wanted to control the sale of tobacco to minors, to those under the age of 19, who better to trust than the local pharmacist? We trust the local pharmacist, who is a respected member of his or her community, to control pharmaceutical substances, to control drugs. Who better to ask for the age-of-majority card than the local pharmacist, who's already established as a respected retailer on many of our main streets throughout Ontario?

I think also that this legislation will be a windfall for the underground economy. We've heard nothing in this announcement to stem the some \$200 million worth of illegal tobacco sales. Banning the sale of a legal product in selected retail establishments, I think the government will find itself in court spending taxpayers' money to get itself out of this particular predicament.

Again, we agree with the thrust of the legislation. I think it's important that we tell young people that it's stupid to smoke, I think it's important that we encourage them to butt out, but I think it's equally important that this government butt out of the free market, butt out of the retailer's right to sell a legal product.

ORAL QUESTIONS

UNDERGROUND ECONOMY

Mr Sean G. Conway (Renfrew North): My first question goes to the Minister of Finance. It in part concerns tobacco, but it is, generally speaking, a question about the underground economy and how that growing part of Ontario reality concerns itself with tobacco and with alcohol.

I want to begin on the tobacco side, Mr Finance Minister, because some weeks ago your government announced a new policy limiting the amount of non-taxed tobacco that would be allowed on native communities. Last week, the native leadership rejected out of hand that policy and that directive, saying, among other things, that the native community and the native leadership had not been consulted. From the point of view of Chief Peters

and others in his community, the Ontario government directive of a few weeks ago which sought to control the amount of non-taxed tobacco allowed among native communities is, from the point of view of the native leadership, null and void. My question to the Minister of Finance is: Given the comments of Chief Peters about their dismissal of the new policy directive announced by your government, your ministry, just a few weeks ago, what response do you have to that latest development in that connection?

Hon Floyd Laughren (Minister of Finance): I was disappointed to see the reaction from Chief Peters because I've felt all along that our attempt to control the sale of tobacco was in the best interests of the aboriginal community as well. I still believe that very, very firmly.

Secondly, when a court case called Bomberry and Hill was rejected by the Court of Appeal in the province of Ontario, it was my understanding that that therefore, along with an amended regulation to the Tobacco Tax Act, gave the province of Ontario the right to impose these kinds of quotas. So it's my hope that we have not yet reached the end of the road in working this out with the aboriginal community. I don't for a moment pretend it's going to be easy, but I think that in the end people who basically have the same goal should be able to come to a reasonable agreement.

Mr Conway: About the same time as Chief Peters was rejecting absolutely your new regulation for unmarked tobacco allocation for first nation people in Ontario, Andy Brandt, the chairman of the Ontario Liquor Control Board, appeared before a legislative committee and announced a couple of things.

He announced that by his best estimate, the government of Ontario this year would lose about \$475 million in lost revenue because bootlegged alcohol was now at unprecedented levels in this province. In fact, Mr Brandt indicated that not since the heyday of the Prohibition era of the 1920s have we seen such a volume of bootlegged alcohol in the province of Ontario.

Given the fact that Mr Brandt, a very respected former member of this Legislature and currently a very senior person at the liquor board, has announced that you're going to lose nearly half a billion dollars this year because of bootlegged alcohol, what, Mr Minister of Finance, do you have to say to that alarming statistic?

Hon Mr Laughren: To put it in perspective, I'm not happy with those numbers either, obviously. It isn't as though this has suddenly exploded like a bomb. The underground economy is at unprecedented levels, and it has been growing steadily for many, many years. We could argue about why that is the case, whether it's strictly because of the level of taxation, to what extent the introduction of the GST was an impetus to it as well. All of those things are factors.

My own view has always been that the answer in the end is appropriate enforcement rather than reducing or eliminating taxes on these products. It seems to me that those people who argue that the solution—and I have letters from members of the Tory party who suggest that the answer is simply to eliminate taxes on these products.

Applause.

Hon Mr Laughren: Well, I have one message to the members of the third party who are applauding so vigorously: You cannot, my friends, have the level of services in this country, in this province, with the level of American taxation. The sooner you understand that, the better we'll all be.

Mr Conway: I agree with my friend opposite that our primary focus must be on the enforcement side. Let there be no confusion on anybody's part about my position. But as we stand here on November 22, we have bombs going off in Cornwall, which may or not be related to this smuggling business; we've got Andy Brandt, the chair of the LCBO, saying that we've now got a Prohibition level of bootlegged whiskey costing your treasury half a billion dollars, his estimate, for this year; and we've got Gord Peters on behalf of the native leadership announcing that they, that is, the native community, do not accept your latest policy directive in respect of that part of this multifaceted issue.

1410

My question to you, Minister, again is, given all of these very recent developments which make plain that this part of the underground economy is running rampant, with not only a significant revenue loss occurring and growing to your detriment but with more and more evidence that the public safety of communities and individuals in Ontario is increasingly at jeopardy, what additional measures, if any, do you as the Minister of Finance for Ontario intend to take to stop this activity?

Hon Mr Laughren: I don't disagree with what the member is saying. How could anyone? I would simply point out a couple of things to him, however, just to put it in perspective.

We are going to be doing something on the enforcement side. We have done something already and we will be doing more. I would remind the member and others in this assembly that we do have some control over enforcement. We do not as a province have jurisdiction over smuggling. That's why some of the comments about the size of the boats in the St Lawrence River were quite irrelevant. That is a federal jurisdiction, and I'm not trying to pass the buck here.

Interjections.

Hon Mr Laughren: Well, it is a federal jurisdiction. I can say to the member—

Interjections.

The Speaker (Hon David Warner): Order.

Hon Mr Laughren: —that within the next very short time, we are having meetings with the federal government and with the Quebec government. We do want to take a coordinated approach to the problem, because we are all losers with the way in which the underground economy has grown, and in particular as regards alcohol and cigarettes.

But I do think it should be clear that if the provincial government attempts to engage in controlling smuggling per se—precisely, smuggling across the border—we'd get laughed out of court. I think the member from Renfrew understands that. We will do what we can on the enforce-

ment side and on the monitoring side and on the auditing side, but the member from Renfrew I hope will, as I will be doing, talking to his friends in Ottawa about the need to do more at the federal level.

KARLA HOMOLKA

Mr Sean G. Conway (Renfrew North): The second question is to the minister of justice, to the Attorney General. Madam Minister, on Friday afternoon a 28-year veteran of the Ontario Provincial Police, now retired, Gordon Domm by name, was arrested as he attempted to distribute several copies of a British newspaper account of the Homolka/Teale trial of some weeks ago. Mr Domm has made no bones about the fact that he doesn't agree with Mr Justice Kovacs's publication ban and that he intends to do anything and everything he can to break that ban.

So on Friday we have the spectacle of Mr Domm being arrested as he attempted to break the ban. But he was arrested but not charged, and according to an official in the minister's department, quoting Ms Barbara Krever: "It's all under review. It's very complicated because the arrest was a preventative measure."

Will the minister of justice tell this House what the policy of her department is with respect to enforcing and being seen to enforce the publication ban that Mr Justice Kovacs imposed some time ago in this case?

Hon Marion Boyd (Attorney General): I'm happy to have an opportunity to do so. The member may be aware that there is a section of the Criminal Code which allows an officer of the law to make an arrest to prevent someone from committing a crime that that law officer reasonably expects will be committed unless action is taken. The subsequent section that relates to that then requires that that person be released once the imminent danger is relieved.

In this particular case, the individual was warned that this would be the process, continued to attempt to do so, was arrested, the material was confiscated and then, according to the Criminal Code provision, the person was released as is required when the crime has not actually been committed but has been apprehended in the course of possibly being committed.

The difficulty for us in all of these issues remains the determination of what in fact would constitute a breach of the ban, and that is the matter that is under review by the Attorney General's ministry, by crown law officers, and we continue that review. If a determination were to be made that the material involved is in fact a breach of the ban, then I would expect that charges might follow.

Mr Conway: Just a couple of weeks ago, in response to some questions about the program A Current Affair and the release of that television program into this jurisdiction, you said in this place—I think it was late October, October 19—quoting yourself now: "We are monitoring very carefully what is going on and if in fact there is a breach, it will be handled very, very severely."

Mr Domm is making no bones of what he's about here. He is advertising his ongoing intent to break the ban, and you have said that for anyone who attempts to break this ban, you and your government are going to

react in the most expeditious and in the most severe fashion.

We have evidence that on Friday, as Mr Domm tries to do what he has advertised he wants to do, he's arrested but not charged. What I want to know and I think what the people of Ontario need to know is what Mr Domm or anyone else out there would have to do to break the law in such a way as to be charged. Could you help us understand that?

Hon Mrs Boyd: We are acting as quickly as we can to prevent any breaches of the ban, and that is what we did, using the Criminal Code in this case. This person did advertise that he had an intent. We prevented him from carrying through that intent as we are enabled to do by the Criminal Code and released him as we are required to do.

We then, of course, looked at the material that was part of his intent, and the determination will be made as to whether or not that material in fact breaches the ban. If it does and if it has been released by anyone, then that would constitute a breach of the ban.

Mr Conway: The question remains. You have said that if there is any breach of this ban, you are going to react very, very severely. Mr Domm has said repeatedly and has tried on at least a couple of occasions to apparently breach that ban.

What would Mr Domm have to do or quite frankly what would any other copy cat out there have to do that has not already been done to cause an arrest that would lead to a charge? Because to people looking on this is bizarre. Somebody has advertized repeatedly that he wants to break the ban, that he's going to make every effort to break the ban. On Friday he's arrested but not charged. What does he have to do that he has not already done to attract a charge?

Hon Mrs Boyd: He has to actually have broken the law, and what we have done is to try and act so that in fact we will not be closing the barn door after the horse has escaped. What we are doing is acting within the ability that we have under the Criminal Code to try to prevent those who are attempting to breach this ban from doing so. We have done that on a number of occasions in terms of the A Current Affair show and so on, and we will continue to do that.

In the meantime, each time a piece of information comes to our attention that may break the ban, that is being looked at and examined to determine whether or not it in fact does breach the ban and whether or not we have the evidence we require to charge someone with having knowingly done that.

1420

EMPLOYMENT EQUITY

Mr Michael D. Harris (Nipissing): My question is to the Premier concerning his government's discriminatory hiring policy, which excludes individuals from applying for government jobs.

Premier, on October 14, the Chair of Management Board told us no one would be excluded from any government job. On November 10, we were told that some would be excluded from a few jobs. Last Friday, a

leaked cabinet document revealed that some would be excluded from jobs in all ministries and in all schedule 1 and schedule 4 agencies.

The public, as well as the public service, are justifiably confused and they're afraid. They want to know, and perhaps you could tell us today in this regard, what is the hiring policy of your government?

Hon Bob Rae (Premier): I'm just going to refer this to the Chairman of Management Board, Mr Speaker.

Hon Brian A. Charlton (Chair of the Management Board of Cabinet): First of all, it should be clear to the leader of the third party that, as was announced last Monday, the limited eligibility competitions have been suspended and the policy is under review.

The leader has raised a number of questions that come out of a story that was in the Toronto Star on Friday that purported to have revealed new information. On a number of occasions during scrums on this issue over the course of the last two weeks, I have made it clear that the intent of the policy which has now been suspended was to target specific problems that were identified, specific barriers in isolated cases.

The policy presently, at the time of that event, only applied in senior management, but it was also made clear that the intent of the policy was to be a general policy for limited application. If you had, for example, looked at the numbers in terms of employment equity progress that's been made, senior management, and I've said this a number of times, was the area where the greatest problem exists.

The progress that has been made in the bargaining unit is substantially better, so the number of positions that might have been affected by this policy, if it were still in effect, would have been a very small number. But in any event, before any such policy could be applied to the bargaining unit, there would have to be a negotiated agreement with OPSEU to do so.

Mr Harris: I wonder if I could have a page deliver to the minister—perhaps you could deliver this to the Chair of Management Board; thank you very much, Heidi—or the Premier will send it on.

What concerns me is that, Mr Chairman of Management Board, we can't trust you to tell us what's really happening. Either you don't know what's going on or you are deliberately trying to hide the facts from us.

On October 14 you said, and I quote, "Positive measures programs will not in any way restrict jobs in the public service to designated groups." I have just sent over to you a competition, February 25, 1993, nine months ago, about seven or eight months before you gave us the answer "in no way will it restrict any opportunities." This is a job competition: district engineer, salary, \$68,000-\$84,000, for the Ministry of Transportation, an executive position. It says very clearly at the top that this competition is restricted to classified employment equity designated group staff members.

So nine months ago the Ministry of Transportation had excluded all but those who were in the target groups from a promotion within the Ministry of Transportation. Clearly you have not been forthcoming, Minister, which

is why I directed the question to the Premier, about what is the policy of the government.

Can you tell us if this policy that has been going on for nine months was authorized by Management Board? If not, why has it been going on all this period of time and, if it has, will you put a stop to it today too?

Hon Mr Charlton: The ad to which the member refers is an ad that was published by the Ministry of Transportation under its own policy internally. As I have said in this House, the Management Board policy which the members have referred to was passed in August of this year, not in February of this year.

I've said a number of times, again around this issue, that there have been limited eligibility ads before the government policy was ever passed—in the OPS, in the private sector—and all of those competitions have been suspended as a result of the decision last week in the OPS.

Mr Harris: Sir, last Monday and only after public outcry. The civil service have been telling you for quite some time. It was pretty widely acknowledged and known that this is what you were doing, but finally it was put into print. Finally, last Monday, you pulled the ad. That's all; you pulled the ad and you said on that Monday, "I have not at this point rejected that policy." All that ad did was reflect a policy that Ontarians all across this province have found repugnant.

I would ask you today, will you scrap that policy, will you pull the policy that says right here in the Ministry of Transportation that certain groups need not apply? Will you pull that policy and scrap it today and will you cancel all directives that may be out there in any ministry—job ads, policy initiatives—that discriminate against individuals who are applying for jobs in Ontario?

Hon Mr Charlton: I have said a number of times that the limited eligibility ads to which the leader of the third party refers have been suspended. The policy is under review. The Premier has made it clear that he does not find those kinds of restrictive ads acceptable.

I have said here in the House, both in response to the leader of the official opposition and in response to the leader of the third party, because they keep saying withdraw this policy and get on with the job of removing the barriers, that we will have to review the policy and identify another tool to proceed with the barrier removal, because we still do have a real problem, which both of the opposition leaders admit, to confront.

The Premier has said this policy was an unacceptable approach. We will have to review the policy to find another way to get at barrier removal.

LANDFILL

Mr David Tilson (Dufferin-Peel): My question is for the Premier on the subject of dumps. I hope he does not pass that on to the minister of the greater Toronto area, not only because the answers he has been giving in this House really don't answer any of the questions we've been putting forward, but also because I think it's time the Premier put himself and his government on the record as to where it stands on these terrible dumps.

Mr Premier, last week your minister for the greater

Toronto area confirmed that you intend to be putting garbage in these three dumps within three years, that you will have gone through an environmental process, that you will have had an expropriation procedure, all within three years. I would like to ask you how you intend to have a proper and impartial environmental assessment process.

Particularly, the residents of these three regions are most concerned that you, as the Premier of this province, when you were the Leader of the Opposition, and other members of your government, strongly opposed the Liberal process—a Liberal process that shortened the environmental process to five years under the environmental protection plan. At that time you, as opposition leader, strongly opposed this whole process. You did other things. You stood up at Whitevale and said, "There'll be no dump on farm lands." Now we're going to have three dumps on different sets of farm land across the greater Toronto area.

My question to the Premier is, specifically, when after the Halton search took 16 to 17 years—I don't know whether there's any dump anywhere in this province that's going to take as little as three years and it certainly won't take three years—how can you maintain the residents will be receiving a fair and impartial process in such a short time frame as the minister of the greater Toronto area is putting forth?

1430

Hon Bob Rae (Premier): I will refer that to the minister of the greater Toronto area.

Hon Ed Philip (Minister of Municipal Affairs): I think we've seen that with the IWA, the process that this government set up is in fact a fair process, that for the first time there is a process which is not open to any kind of political tinkering, and that for the first time there is a process that has actually met deadlines and moved ahead in a very expeditious way, and in fact that has involved the public at every step of the way, that has provided \$1.5 million in participating funding for groups that may have some concern about what is being proposed, and that will provide intervening funding for those people who may still have some concerns about the particular three sites which have been chosen by the IWA.

No previous government has had such a transparent system. No previous government has had a system in which those who have concerns can actually be financed to make those concerns known and to do the research which is necessary to have all the facts on the table before the joint boards consider if or if not the particular sites proposed are acceptable.

Mr Tilson: I am simply appalled that you're talking of this whole process, of politicians tinkering. What in the world do you think you did with Bill 143? That was the greatest tinkering process I've ever seen in this province.

You have simply abolished any environmental plans with respect to this government. With respect to the Liberal plan that went on some time ago, where you objected to five years' environmental process, your party objected up and down as to what it was doing. Now

you're going to have a process that's going to be less than five years.

When the government's representative, Mr Walter Pitman, met with the greater Toronto area mayors last week, he assured the mayors that the Minister of Environment and Energy is still looking at alternatives to superdumps. That was his assurance to the mayors of the greater Toronto area last week: nice political rhetoric but not really any substance.

Minister, if the Ministry of Environment is looking at these other alternatives, why are you not allowing the government to stop this madness, to stop the plan for the three dumps, to look at all alternatives, including the so-called alternatives that you told Mr Pitman about?

Hon Mr Philip: Unlike, I believe, the Conservative caucus, which met with some people who came forward with a series of alternatives, we said that the Ministry of Environment was open to all alternatives that would look at ways of reducing waste in any way possible. Since we formed the government, we have put more money into research into recycling, reusing and reducing waste than any previous government. The record is there. It's fairly clear that we are committed to the 3Rs, that we are reducing the amount of waste that is going into dump sites.

Where were you when those programs then were there? Why did you not, as a government, see that you couldn't wait for ever because it would greatly affect the investment in the greater Toronto area unless you had a solution?

We've set up a process that in a non-partisan, democratic way is coming up with solutions to a problem.

Mr Tilson: I don't know how in the world you know what our caucus is talking about, but let me tell you what our caucus is talking about. We're planning on looking at all the alternatives. We're planning on looking at all the alternatives that have been put forward to your government and which you've ignored. You've ignored that from day one.

You continue on with your blinders with respect to three superdumps on farm lands on top of water aquifers, simply not regarding any other alternatives with respect to this province.

On the 3R regulations, you, or one of your predecessors with respect to the Ministry of Environment, indicated that one of the predications with respect to developing the three superdumps would be forcing, or developing, the people of this province to get involved with respect to the three 3R regulations, those 3R regulations that were scheduled to become law this past August.

We learned last week that these regulations will quite possibly be delayed for some time, for an indefinite period of time. Not having those 3R regulations up will mean the 50% reduction plan that the Minister of Environment promised this province simply will be difficult to take place.

Having said that with respect to the three dumps, and having delayed now the regulations with respect to the 3Rs, can you tell us, are you really serious? Are these three dumps going to take 20 years or are they going to

take 30 years? Obviously, you're going to have a heck of a lot more garbage being put in these dumps than you had ever dreamed about, when you don't have proper regulations with respect to the 3Rs. Are you going to be putting lifts on these dumps, like you did at Britannia?

My question is that if you intend to delay the institution of the implementation of the 3Rs, will you not delay the IWA process, the implementation of the three dumps, until the 3R regulations are in place? Can you be assured that we will be able to achieve your reduction targets?

Hon Mr Philip: We've said that the proponents of either Kirkland Lake or any other proposal are free to go, as is the honourable member if he has a proposal—and I haven't heard any proposals other than to burn and ship. But if you have a concrete proposal then you, like the proponents of some of the proposals, are free to go to the Environmental Assessment Board and to present those proposals and have them evaluated, in the same way as the three proposals by the IWA are going to be evaluated, in a completely non-partisan manner. But if your proposal is to simply ship or burn, I suspect that those kinds of proposals would find difficulty in making their way through any independent environmental assessment.

COURT FACILITY

Mr Robert V. Callahan (Brampton South): My question is for the Premier, and he indicates to me that he's going to refer it to the Attorney General. He'll be aware that I made a statement earlier where I indicated that justice is so sacrosanct that it should not even have the aura or the aroma of political meddling. For that reason—I understand the Premier shares that concern about justice—I'm going to call upon him and insist that he in fact answer this question, rather than referring it to the Attorney General, lest it appear as though politics is being played with justice.

It's his quote in fact. Premier, after I had made a statement in the House that not putting the Brampton courthouse within the announcements that were made was perhaps a political matter, you're quoted in the Toronto Star and several other papers. But I'll read one to you. You've indicated:

"We're going to try to work with the private sector in creating a facility that we think is going to save taxpayers' money while at the same time providing the necessary courtroom space," Rae said in an interview.

"Discussions are now under way. The Brampton courthouse remains a priority and we're going to try to do something exciting with it."

"Rae refused to give details but promised an announcement soon. 'Something is on the way. I want to stress that for the people of Brampton and Peel region, their needs are going to be met.'"

"Construction of a 40-courtroom building in Brampton was announced in 1991." It was previously announced, as you know, Premier, in 1987, as a result of an independent study by the former Attorney General.

It goes on to say, "Rae said the Hamilton and Windsor announcements shouldn't be viewed as a sign that the Brampton courthouse is no longer a priority for his government."

It indicates, "A ground-breaking had been set for next spring"—that's 1994—"on Hurontario Street near Steeles Avenue."

Premier, considering that justice should never even have the taint of political involvement, I'm asking you to answer this question. I'm asking you to commit to the House today that in fact the courthouse is on stream, that it will in fact be put in a rush scenario and that in fact we will be putting a shovel in the ground in the spring of 1994.

Hon Bob Rae (Premier): To my good friend from Brampton South, I'm delighted that he asked me this question, and I will not be referring it. It's an issue that, as a jobs issue, is one that's of concern to the overall management of the government and I'm very much interested in this question.

I can say to the honourable member that what I told the small group of reporters—dedicated, but not as large as some of the scrums I've had in Toronto, but nevertheless—in Peel last week when I was visiting the Peel Board of Education to discuss the very successful Jobs Ontario Training programs that are in place in Brampton and in Mississauga, what I told the reporters there was exactly what is reported in the Toronto Star, and that is that as opposed to some of the things that I had heard about our announcement with respect to Windsor, Cornwall and Hamilton, and the suggestion that somehow Brampton had been forgotten, I wanted to emphasize that quite the opposite was the case.

Cabinet has already heard a report from treasury board, and we've asked treasury board to go back and give us as quick a response as possible in terms of a solution to the courthouse situation in Peel that is going to be timely and is going to be cost-effective.

Our concern has been that we believe there are some discussions that need to take place with the private sector, and we want to have those discussions before we make any final determination as to the exact nature of how we will meet the commitment we have made. But I can tell the honourable member that every sentence that is between quotation marks that has been attributed to me in the Toronto Star is entirely accurate, which is itself something I want to take note of and pass comment on and leave it at that. I know he shares my interest and the interest of all of us in seeing that justice is served.

1440

Mr Callahan: I appreciate the Premier taking the question because he appreciates as I do that justice should never be a political football. I'm sorry, Premier, but I have difficulty in accepting it. I have gone around my riding, I've talked to the chairman of the region of Peel, I've talked to mayors. I've talked to the chief judge of the General Division, I've talked to the chief judge of the Provincial Division, I've talked to the crown attorneys and they all know nothing about this private operation that the Premier says is about to be imminently done.

I suggest to you as well that in addition to that you have a full-time staff person out there who is running around looking at where to allocate office space in the plans that were drawn up for this building. It seems to me

strange that this person would be running around trying to figure out where the rooms should be if in fact it's not on stream.

I'm taking you at your word, Premier, and I can assure you that I will be back to revisit it. I was once promised in this assembly a health facility on 45 acres of land that we owned in Brampton. It was axed by your government about a month after in fact it came into office. I'm trusting you. You're an honourable member. I'm trusting that what you're saying is that there will be a spade in the ground in the spring of 1994.

Hon Mr Rae: I appreciate the vote of confidence from the honourable member, and I'll take those votes wherever I can find them these days. I say to the honourable member that I hope he would recognize that since he himself in his first question pointed out that this facility had originally been promised by his government, of which he was such an active and strong proponent, in 1987 and it failed to deliver, and since it was a former Premier who was the member for Brampton before 1985—I can only assume that he had an ongoing interest in a project even prior to 1985—and nothing happened, as in so many other situations, I tell the honourable member what he's going to find as time unfolds: He will find that his party may have promised it and that party may have promised it. This is the party that's actually going to do it, and that's the difference between us and you.

BY-ELECTION

Mr Michael D. Harris (Nipissing): I have a question to the Premier who just stood in his place and said he's going to live up to all his promises.

Interjections.

Mr Harris: Oh, he didn't say that. Okay, I'm sorry.

Premier, there are two groups of constituents in this province who do not have an official voice at Queen's Park, the people of Essex South and the residents of Victoria-Haliburton. It seemed to many of us that it would've made pretty straightforward, simple common sense to have both by-elections called for the same day. Instead you called one for Essex South and you ignored the people of Victoria-Haliburton. Can you tell me why, by not calling the Victoria-Haliburton by-election at the same time as Essex South, you have further denied the people of Victoria-Haliburton a voice in the Legislature of Ontario?

Hon Bob Rae (Premier): There will be a by-election in Victoria-Haliburton in the allotted time.

Mr Harris: Mr Premier, our candidate for Victoria-Haliburton, Chris Hodgson, was just nominated last Thursday evening. Some 1,500 people turned out because they want to ensure that as soon as possible, they have a credible voice at Queen's Park.

Premier, in September 1988, following the resignation of your good friend MPP Mel Swart—

Hon Floyd Laughren (Deputy Premier and Minister of Finance): Who?

Mr Harris: The Premier's good friend Mel Swart resigned in 1988. You urged the government to immediately call a by-election. It wasn't fair, you said. In fact,

here's your quote: "People are entitled to local representation." That's when you were pressing the then Premier to hurry up and get on and call this by-election.

Premier, I agreed with you then, and the people of Victoria-Haliburton agree too. They want to know, will you give them an opportunity to have representation at Queen's Park at the first opportunity?

Hon Mr Rae: I take note of a couple of things, and it's all in good fun. First of all, I say to the honourable member that I would hardly have wanted to call a by-election before the third party had nominated a candidate. I notice that he wasn't asking me this question 10 days ago.

Mr James J. Bradley (St Catharines): Can I send this to the Welland Tribune?

Hon Mr Rae: We all learn from our experiences, and I guess the by-election at Welland-Thorold is an experience from which I'm still recovering.

VOLUNTEER FIREFIGHTERS

Mr Larry O'Connor (Durham-York): I've got a question to the Minister of Transportation. I note there's a little bit of light humour in the room here. I want to reassure the members that this is a serious question.

I come from a large rural riding that has—

Interjections.

The Deputy Speaker (Mr Gilles E. Morin): Order.

Mr O'Connor: Mr Speaker, obviously these people don't represent rural Ontario and they don't give a damn, but I'll tell you right now, the people of rural Ontario care about this question and they want the question asked.

Mr James J. Bradley (St Catharines): Ask it then. Come on.

The Deputy Speaker: Order. The member for Durham-York.

Mr O'Connor: Thank you, Mr Speaker. I'll try to speak over the heckling.

From a large rural riding perspective—and there are a lot of members here and I hope they'll listen, because they represent rural ridings as well—they have a need for volunteer firefighters. These volunteer firefighters, of course, react to either a pager or an alarm system that goes off, and from that moment it's minutes before they can get to the hall and get out to fight that fire. It's very important that these people have direct access that's safe, so they can let people know they are coming and down the road.

My question to the Minister of Transport is, will he be moving forward with the green flashing lights for these firefighters to get to the fire hall as quickly as possible?

Hon Gilles Pouliot (Minister of Transportation): There has never been any doubt of the conviction of the member vis-à-vis the lives of his constituents in all of rural Ontario. Let's make no mistake about this.

As the minister, I share the safety concerns associated with those women and those men who provide the essential service of volunteer firefighting. Not only do we share in their concern, but we're only too aware of the obligation to introduce, hopefully in this session, sanc-

tioning green lights for people leaving home and attending a fire.

This legislation will complement the legislation that was put through by the member for Northumberland, Mrs Joan Fawcett, by way of a private member's bill. The two bills—I should say, the two laws—will blend, which will enhance the possibility of attracting more firefighters. But first and foremost it will be immediate for the recognition, not only for those firefighters but for the general public, vis-à-vis what is an emergency.

1450

DEPUTY ATTORNEY GENERAL'S COMMENTS

Mr Robert Chiarelli (Ottawa West): My question is to the Attorney General. Minister, I'm sure you will agree, as we do on this side, that your Deputy Attorney General is one of the best and most professional public servants in the provincial government. However, you're also aware that I've caused to be brought to your attention a letter that the Deputy Attorney General sent, which I will refer to.

It's dated August 13, on Ministry of the Attorney General letterhead. It's from the office of the Deputy Attorney General, signed by the Deputy Attorney General, in the matter of Carole Curtis, to the Law Society of Upper Canada discipline committee. It says, "I have been asked if I would write a character letter on behalf of Carole Curtis in relation to an upcoming hearing."

Minister, you're aware of the fact that there are two and a half to three pages of character reference, with which we have no question whatsoever, but as we get into the letter, it states, "Finally, I would like to make a few comments about the matter that is before the committee."

It goes on to say, "I have read only the letter written by Ms Curtis dated April 17, 1990, and the affidavit of Scott Kerr in this matter." Of course, he's commenting on two of the most important documents in the hearing: One is the letter in question, the subject of the hearing, and the other is the substance of the allegations.

After expressing an opinion based on this—I'm not sure if it's hypothetical or actual—case, your deputy goes on to say, and I'll be very brief, "While I do not suggest this would be the only course of action, I do understand why a lawyer facing this problem might contemplate it as part of a much broader response to the child's allegations." That statement suggests the possibility of exoneration. It suggests the possibility of exoneration based on your deputy's reading of two important documents in the hearing.

Minister, I want to know if you support your deputy sending that specific letter to the discipline committee of the law society.

Hon Marion Boyd (Attorney General): As I believe the deputy minister made very clear in his response to the member opposite, he did send this letter entirely on his own, without either asking for or getting any sense of acceptance from me or from anyone else in the government. My sense is that the deputy has explained to the member very clearly his reasons for doing so. Let me just read from the letter that he sent to the member. He said:

"First, I should confirm that it is the firm policy of the ministry and of myself as Deputy Attorney General not to interfere with law society discipline matters. The law society is a professional governing body that is totally separate from the government. The government as such has no role in its disciplinary matters and therefore of course is not able or permitted to usurp its authority. Publicly filing a character reference and expert opinion for the committee's review is a means of acknowledging, not challenging, that independent authority."

He goes on to explain that he believed he was acting as someone who had a unique ability to offer some expert opinion on a case kind of evidence, not this particular case but the kind of issue raised in this case, and that this was his intention. I accept that this was his intention.

I certainly understand the concern the member has raised but would say to him that the deputy has also explained the reasoning behind that.

Mr Chiarelli: Your deputy, in his own letter, indicates that he was asked to write a character letter. He goes far beyond that. He was not subpoenaed to give an expert opinion. He was not asked to give an expert opinion. He gave an expert opinion based on documents in the hearing: an affidavit of allegations and the letter that was called into question at the discipline proceedings.

A lot of people would disagree that this is a proper thing for him to do. In fact, this issue was brought to my attention by a member of the public a long way from Toronto. They saw a little article in the newspaper and they said, "How can this happen?"

Minister, this is bringing the administration of justice into disrepute. You and former ministers have indicated, time and again, that you cannot interfere with discipline matters of the law society. I have many of those letters on my desk which you sent to people interested in discipline proceedings.

I'm going to ask you, will you disassociate yourself from your deputy's letter, and if not, will you consider resigning?

Hon Mrs Boyd: I have made it very clear in this House that I had nothing to do with the letter. That was done on the judgement of the deputy himself. I certainly would say to the member that this was his decision.

I would also say to the member that it's very interesting that this complaint comes forward not from the law society, which is very jealous and very careful of any sense of interference. There has been no suggestion from the law society or from members of the law society, or any complaint, to my knowledge, that this in any way was seen to intervene in its authority. I think the member must take that into consideration in his comments.

UNION REPRESENTATION

Mrs Dianne Cunningham (London North): I have a question for the Minister of Labour. Mr Minister, you may be aware that we made a presentation in the House last week about Randall Klein Designs, which is a London furniture company. I'll send the statement over to the minister with one of the pages, just so he knows what I'm asking about.

There was an unfortunate situation in fact where the workers found themselves unionized, whether they liked it or not. They tell me that during the Bill 40 hearings you eliminated the petition process, which was the only way an individual employee could express a desire not to join a trade union. Now employees do not have a mechanism that will allow their views to be heard.

They've tried everything. It's been in the process for six months. They've spent all their money. They've gone to the labour board. They don't want to be members of the union. Could you advise or tell the employees of Randall Klein Designs, who find themselves with no recourse to this dilemma, how you can assist them?

Hon Bob Mackenzie (Minister of Labour): I apologize to the member. I had a note on that and I can't seem to lay my hands on it. I will get back as quickly as I can to the member.

Mrs Cunningham: I don't think it's very complicated, Mr Speaker, if you will allow me just a minute here. These members signed their union cards in July. Somebody turned them in in February. In a couple of days they found themselves members of a union. They very quickly sent a letter and tried to be decertified. They didn't really want to be certified. They solved all their problems with their company; everybody was happy.

What they find themselves now in is a process. Both the workers and the management, the owner of a very small company with just 20 workers, went to the labour board. That experience was something most of us wouldn't be proud of. You make a presentation. It's supposed to start at 9 and it starts at 11. After a couple of questions, you take a two-hour lunch break. Then you come back and say, "That's all we can do."

They are very frustrated. I'd like the minister to think about that. I don't think he needs any notes on that.

During the Bill 40 hearings, my colleague Elizabeth Witmer introduced an amendment making a representation vote mandatory, and you ignored it. Then she introduced a private member's bill that would require a mandatory secret ballot. The workers tell me that if they'd had to have this secret ballot, this wouldn't have happened.

I'd like to ask you, what would require you to agree with the mandatory secret ballot? Is that something you'll consider under the circumstances?

Hon Mr Mackenzie: As the member well knows, the secret ballot is not a provision that was put in place when the legislation was put in place by her government back many, many years ago in the province of Ontario. It's not quite as simple as is being stated by the member from London. As I said, I'll get back to her very quickly.

MOOSE TAG LOTTERY

Mr Gilles Bisson (Cochrane South): My question is to the Minister of Natural Resources. Yet again, for another year in northern Ontario we're going through probably the most difficult process in regard to the situation with moose tags.

I realize that southern members, especially members from the opposition, sometimes howl when we ask this question. But I don't think they have an appreciation for

the importance people in northern Ontario put on their hunting season, especially in places around Timmins, Chapleau etc.

The question is this, Mr Minister: For years and years and years people have been going through this whole tag system with the expectation that one day, hopefully, maybe they can get drawn for a tag. Year after year it's happened; I think we're now in year nine when it comes to moose tags. I know people within my constituency, as I'm sure other people from northern Ontario also know people from their constituency, who, after nine years of having their name in the drum to be drawn for a moose tag, an adult tag, have yet to be drawn. There is an extreme amount of frustration on the part of those people in northern Ontario who for nine years have been unable to get a tag.

1500

There were some assurances by the Conservative government of the day under Minister of Natural Resources Pope—

Mr Chris Stockwell (Etobicoke West): Get to the question.

The Deputy Speaker (Mr Gilles E. Morin): Order, please.

Interjection: You can have order if you cut him short.

Mr Bisson: I realize that members from southern Ontario don't see this as an issue, but in northern Ontario this is a very big issue.

The question is very simply this: There were some assurances when the tag system was set up that if you went into the tag system you would be guaranteed of being pulled for a tag at least every two years. Here we are some nine years later, and you've still got people who haven't been drawn for nine years. What kind of confidence can people have in the system unless they feel it works for them? What do you say to those people who haven't been drawn for nine years?

Hon Howard Hampton (Minister of Natural Resources): The member is indeed correct that for many communities in northern Ontario and central Ontario, and for people in southern Ontario, the issue of a moose allocation draw is an important question that some folks have difficulty understanding.

The essence of it is this: We have wildlife management units in the province that every year are undersubscribed; that is, there are more moose tags available in those units than there are hunters who seek to hunt in those units. We have other wildlife management units, essentially those closer to southern Ontario, where there are more people seeking to hunt in those units than there are tags. Someone who applies for one of those wildlife management units where there are more hunters than there are tags may indeed go four or five or six or possibly even nine years without getting a tag because they are so oversubscribed. Meanwhile, someone who is applying for a moose-hunting tag in one of the units that is lightly subscribed can probably get a tag almost every year because there are fewer hunters than there are tags.

Mr Bisson: Minister, I realize the ministry has looked

at opportunities to allow more tags to get out the door, a better system of allocation in order to deal with the needs of the people of northern Ontario, by and large, and some people in the south, but your answer doesn't go anywhere close enough to addressing the question that people in my riding ask, which is, "When can I get a tag?"

Hon Mr Hampton: The Ministry of Natural Resources will not allocate tags in a wildlife management unit if the moose population in that unit will not support more hunting. For individuals who want to be assured of getting a tag, the best bet for them would be to look at the wildlife management unit maps, determine which units have an excess of tags every year—in other words, very good moose populations—and apply for a tag in those units. They may have to go a little further from home, but it will be well worth it in the sense that they will have a much better chance of getting a moose tag.

CONSIDERATION OF LEGISLATION

Mr Bernard Grandmaitre (Ottawa East): My question is to the Minister of Municipal Affairs. Mr Minister, last Friday the member for Ottawa Centre held a press conference in her constituency office denouncing the opposition members for stalling second reading of Bill 77. The member said if this bill does not receive second and third reading, the bill will die, and I quote, "unless the opposition guarantees it a smooth ride in the legislature."

Mr Minister, I think you want to try and take the opposition for a ride, but muzzling the opposition will not work. After all, the standing orders in this House were changed to accommodate the passage of your legislation in an orderly fashion. Why did you wait until the 11th hour to tell this House that you will not have second reading of Bill 77? After all, MVA for Metro and also the London-Middlesex legislation was given extra time to be debated in this House. Why are you treating Ottawa-Carleton differently?

Hon Ed Philip (Minister of Municipal Affairs): There have been three studies since 1986 and public hearings—

Mr Robert Chiarelli (Ottawa West): That's not the question. Come on, wake up.

Interjections.

The Deputy Speaker (Mr Gilles E. Morin): Order. The member for Ottawa West, order, please.

Hon Mr Philip: The honourable member says I should wake up. He's the only member I've ever known who had a dream that he was speaking in the Legislature, and he woke up and everybody was asleep.

The Deputy Speaker: Please answer the question.

Hon Mr Philip: Actually, he was speaking in the Legislature and everyone was asleep. But I'll answer the question. There have been extensive—

Mr Chiarelli: Don't be silly.

The Deputy Speaker: The member for Ottawa West, come to order, please.

Hon Mr Philip: This has been under study since 1986 with two different governments. It's fairly obvious that the opposition doesn't want to see the change that the

people of Ottawa-Carleton have been requesting for so long and on which so much tax money has been spent on all kinds of public hearings.

If we do not get cooperation from the opposition on the bill, it's very difficult for us to have it in place and have the machinery in place in order that people can make reasonable—

Mr Chiarelli: That's total nonsense.

The Deputy Speaker: The member for Ottawa West, order, please. Minister, I would ask you to address the Chair.

Hon Mr Philip: Mr Speaker, the member for Ottawa East was the Minister of Municipal Affairs. He did nothing to resolve the problem. We're trying to resolve the problem. We're saying we have to have the machinery in place in order to have a democratic municipal election. All he wants to do is to stall and play politics with the people of Ottawa-Carleton. They know that, and they'll catch up with him at election time.

PETITIONS

RETAIL SALES TAX

Mr Ted Arnott (Wellington): I have a petition to the Legislative Assembly of Ontario, and it goes as follows:

"Whereas the NDP government has imposed"—

Interjections.

The Deputy Speaker (Mr Gilles E. Morin): Please take your chair. We'll just wait for a few minutes.

Mr Arnott: I'll start this petition again. It's to the Legislative Assembly of Ontario and reads as follows:

"Whereas the NDP government has imposed a 26-cents-per-litre tax on wine and beer made at brew-on-premise locations in Ontario; and

"Whereas there is great public concern about the negative impact that will result to these businesses from the above implementations;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government remove this unfair tax on people's free time and encourage business rather than discouraging it through punitive taxation."

I endorse this petition 100% and have affixed my signature to it.

TAX EXEMPTION

Mr Leo Jordan (Lanark-Renfrew): I have a petition that has been brought to my attention from the annual conference of the Ontario Museum Association. It's a petition to the Legislative Assembly of Ontario.

"Whereas museums are an essential part of the community, serving to preserve heritage and educate the public; and

"Whereas municipal government should be empowered to provide automatic support for museums by enabling them to pass a bylaw exempting particular museums from municipal and school board taxes;

"We, the undersigned, petition the Legislative Assembly of Ontario to support Leo Jordan's private Bill 46, An Act to amend the Municipal Act to provide for Tax Exemptions."

That's been signed by 61 people attending the annual conference of the Ontario Museum Association in Ottawa, and I affix my signature.

1510

APPRENTICESHIP TRAINING

Ms Jenny Carter (Peterborough): I have a petition signed by about 50 members of the Alliance for the Preservation of English in Canada, Peterborough branch, and it reads as follows:

"Dear Member,

"Five-hundred and forty Quebec residents are enrolled in the Ontario education system in an advanced apprenticeship electrical, 36-week technology course, while Ontario applicants are placed on a waiting list' (Ottawa Citizen, May 14, 1993). All this beneficence is costing you and I, the Ontario education taxpayer, \$11,000 for each student and, like the controversy over Quebec construction workers getting employment in Ontario while Ontario workers are denied the privilege of even submitting an application, the education fiasco does not work both ways either. Quebec has already plundered Ontario beyond endurance. We demand that this program be discontinued immediately and that our students receive that important preparation so that they will be qualified to secure and do the work for jobs in this province and elsewhere."

RETAIL STORE HOURS

Mr Gilles Bisson (Cochrane South): I have a petition to the Legislative Assembly of Ontario:

"I, the undersigned, hereby register my opposition to wide-open Sunday business. I believe in the need of keeping Sunday as a holiday family time, quality of life and religious freedom. The elimination of such days will be detrimental to the fabric of society in Ontario and cause increased hardship."

REPORTS BY COMMITTEES

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Mr Hansen from the standing committee on the Legislative Assembly presented the committee's report on the role of the independent member and moved the adoption of its recommendations.

Mr Ron Hansen (Lincoln): Our committee was studying the role of the independent member and his participation here in the House. I would like to thank the three independent members who came before the committee and the committee members on this report that's handed in to you, Mr Speaker.

I move the adjournment of the debate.

The Deputy Speaker: Mr Hansen moved the adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

INTRODUCTION OF BILLS

TOBACCO CONTROL ACT, 1993

LOI DE 1993 SUR LA RÉGLEMENTATION DE L'USAGE DU TABAC

On motion by Mrs Grier, the following bill was given first reading:

Bill 119, An Act to prevent the Provision of Tobacco

to Young Persons and to regulate its Sale and Use by Others / *Projet de loi 119, Loi visant à empêcher la fourniture de tabac aux jeunes et à en réglementer la vente et l'usage par les autres.*

Hon Ruth Grier (Minister of Health): This is far-reaching legislation designed to prevent illness and death and to promote health. I appreciate the comments from members in other parties today to the effect that they support it, and I look forward to its debate.

OPPOSITION DAY

LANDFILL

Mr Tilson moved opposition day motion number 4:

Whereas the NDP government has continued to proceed with the Interim Waste Authority process of selecting dumps in the regions of Peel, Durham and York without considering any alternatives to building superdumps; and

Whereas continuing this process breaks NDP promises made during the last provincial election campaign of 1990, as outlined in the Agenda for People; and

Whereas the NDP will risk farm land by placing the three sites on existing, operating farms; will threaten the environment by placing sites on aquifers supplying drinking water to surrounding communities and will destroy community life by forcing residents out of their homes and away from their communities in order to develop superdumps in each of the three regions; and

Whereas the NDP have insulted the residents in each of the three communities and in fact the people of Ontario with their rhetoric of a fair and open process; and

Whereas the fundamental rights of the residents of the three regions have been violated by the arbitrary decisions to rule out any other alternatives to the superdumps; and

Whereas the NDP dictated the IWA process by passing Bill 143 forcing the greater Toronto area to accommodate sites for their garbage; and

Whereas the NDP government is to be made accountable for its bad decisions by the people of Ontario;

Therefore, this House calls on the NDP government to repeal Bill 143, disband the Interim Waste Authority and place a moratorium on the process of finding three superdumps within the greater Toronto area until all alternatives have been explored and researched, including the long rail-haul option to willing host communities, incineration and better product management.

The Acting Speaker (Mr Noble Villeneuve): The honourable member has made his motion. The honourable House leader.

Hon Brian A. Charlton (Government House Leader): As you know, Mr Speaker, we split the time evenly among the three parties on these opposition day motion debates, and I believe we have an agreement that the member for Elgin, who sits as a non-aligned member in this Legislature, would have 15 minutes in total to speak to this motion, five minutes to be deducted from each of the three caucuses' times during the debate this afternoon. I believe it has been agreed that he will speak second.

The Acting Speaker: Do we have an agreement? Agreed. I would like the table to take note of that, that the member for Elgin will be speaking for 15 minutes and speaking immediately following the honourable member for Dufferin-Peel.

Mr David Tilson (Dufferin-Peel): This is a resolution which I think is affecting many of us in this House, directly or indirectly. I will tell you, we've been trying on this side of the House to ask questions of this government explaining why it is going through with a process that has been flawed from the very outset, including the implementation of Bill 143.

We've put forward what we believe are sound alternatives for the government to consider, and yet the government continues to proceed with its plan to implement these three superdumps without studying all of the alternatives as governments have done in the past.

This past Saturday evening, I attended a dinner that was put forward by the Peel federation of agriculture. It was a dinner meeting to honour the farmer of the year, and I suspect that this type of meeting of federations of agriculture around this province is conducted in many of the areas and it was one that I have attended since being elected to this House.

This community is in the middle, of course, of one of the superdumps in the region of Caledon, although I'm sure that similar stories could be told by members of this House who represent areas in regions where the three dumps are located and which are in prime agricultural land.

This particular year, 1993, an award was presented to farmers of the year. It was a husband and wife team, Wilson and Lily French of Caledon. It's an honour to receive this award and it has been going back a great number of years.

I am sure, as I say, this happens in other areas, but speaking from an area which I represent, this is an honour and the farmers, of course, talk about their progress over the years in developing the farm land, many farms which go back over 100 years, many of which have been in the same family. There's one particular farm in Caledon specifically which goes back into the 1950s and a second generation is now operating prime A farm land on a portion of the dump that's been chosen.

These are dinners which local politicians, members of the federal government, members of the provincial Legislature can attend and come to talk about agricultural matters. This is a policy which all governments have spoken of in the past: the desire to preserve our farm lands. This has been put forward by Conservative governments, this has been put forward by Liberal governments and this has been put forward by the New Democratic government in the past.

1520

Mr Gregory S. Sorbara (York Centre): Oh, take the politics out of it. Let's just kill the bill.

Mr Tilson: Well, the member says taking care of the politics. You can say about that that the fact of the matter is that these superdumps are being put on prime agricultural land.

Mr Sorbara: Never mind the politics. That's the substance.

Mr Tilson: The member should be very cautious, because we do remember what the Liberal government did when it was in power; it intended to do the same thing. This government opposed that, and it stood up and down and ranted and raved on the Liberal policy with respect to placing dumps. Now they're even worse; they're far worse than the Liberals even had hoped to be.

I would like to get into other areas members of the three regions are concerned about with respect to these dumps and why they're inappropriate. These dumps are not only on prime agricultural land; they're near populated areas, they are near industrial development areas, they endanger water supplies.

That was the whole commitment of the Interim Waste Authority. It was a commitment by law and process to protect agricultural land and operation, to stay away from populated areas, and that's not what they're doing—they're very close to populated areas; not to interfere with industrial development areas, and they're doing just that; and not to endanger the environment or water supplies in any way. They're doing all of the things that they're not supposed to do by law and process. Instead they have chosen a dump in all of these three areas.

People in these areas are simply frantic. They are shocked that, after all of the effort that has been put forward in these three regions, the Interim Waste Authority has come to the conclusion that it has. They're angry. They're angry because of the deception and the incompetence of the Interim Waste Authority, and yet we go ahead.

Even as late as today, the Interim Waste Authority has decided to choose, it appears, the region of Peel with respect to a flawed process. The residents of the region of Peel are concerned that the wells and the surrounding area are first tested before the government continues to proceed with developing this site, and yet the government won't make a commitment with respect to testing the wells surrounding this particular dump.

We've already had one confrontation this past week, where the members of the ratepayers' association literally had to guard, had to stop the Interim Waste Authority from arriving on this site, to protest the actions that it was taking. Now it appears that tomorrow they may have to do the same thing, because the government, the Interim Waste Authority, refuses to properly explain the process to the people of this province as to what it's going to do.

Even with respect to the access agreements, not all of these agreements are signed, not all of them have been ever really explained to the people of the greater Toronto area, and yet the government continues to plow onward.

Mr Pitman of the IWA says, "We have a whole slew of new technology, and I can assure you that these dumps will be well built and will not damage the aquifers that supply the water to these communities and that there will be no problem." We all know that can't be proven. We can't be guaranteed that these large aquifers are going to be preserved.

I will tell you that the dumps are going to last approxi-

mately 20 years, and after that the government will say, "Well, it doesn't matter." What guarantee are they going to have? The water of this area not only provides water to the communities, the farm lands in these communities, but in many cases they're the headwaters to all of the streams and the rivers that go down to Lake Ontario. It's a most inappropriate place to put superdumps, in the greater Toronto area, in any of the three regions, yet this government continues to proceed with that process.

On the whole topic of people's investment, there have been many people from other areas who have moved to these areas not being told that the government planned to put superdumps in this area, and now they're being told, "We're going to have three superdumps."

On the topic of investment, the topic of refinancing, people are suddenly discovering that no one wants to move to these areas. I'm not talking about the dumps proper, I'm talking about the areas around them. Why would you move to where in one area the size of the dump is 350 acres and in another area it's what, double that size?

The people are very concerned. Their life savings have been put in, and they will not be compensated for it. Many people are trying to renegotiate their mortgages. They're finding that financial institutions are most reluctant to renegotiate their mortgages. Why? Because it's a great risk to invest in areas where you're putting superdumps.

Then there's the issue of the assessment of taxes. The government continues to download onto the municipal governments in all of these three regions. Yet the municipalities are finding it's anticipated that the rest of the municipalities' taxes will go up because you can bet your bottom dollar that all of the areas within and around these dumps will be reassessed and, notwithstanding the information that's being put forward by the government, this will affect the overall tax structure of these communities.

Communities will be destroyed financially, socially, economically. It's tragic, particularly when there are other ways of solving a very serious problem.

For the life of me, I cannot understand why this government will not even consider the topic of incineration. They won't even look at it. Why won't they look at it? I'll tell you: There are other countries around this world, whether it be Europe, whether it be the United States, whether it be Japan, where incineration is working very well.

There's nothing wrong with a government, particularly in this country, at least looking at that topic. But this government is saying, "Oh well, the emissions are going to cause problems." What in the world do you think is going to be the effect of the leachate that's going to be put into the ground from these giant holes you're going to be creating above aquifers, aside from the effects on rivers and streams leading to Lake Ontario, within and outside the dump areas?

The whole concept, the whole philosophy of this government is very suspicious.

This past week there was a development where a

citizens' coalition from the various groups around this province put forward a plan on government funding, on intervenor funding, although the intervenor funding said: "You can't look at incineration, you can't look at the long rail-haul. You can only look at certain things which we tell you." So they did that.

It was reported in the *Toronto Star* over the weekend that the coalition put forward a very extensive package called *Resources Not Garbage*. The government, it seems, isn't even going to consider that. They're not even going to consider that alternative.

This coalition came up with a five-point plan which it hopes provincial and municipal politicians will adopt over the waste authority's selections. The plan promotes reducing waste through stricter provincial laws on excessive packaging; intensive recycling and composting programs; processing garbage headed for dump sites to recover recyclable goods; above-ground storage mounds for the remaining garbage; and creating community-based groups to select mini-dump sites.

In other words, they're saying that waste reduction, more recycling and composting could create 2,000 jobs with annual wages of \$100 million.

I don't know whether this plan is feasible, but this government, after giving this group money to investigate and hire people to develop it, is not even going to consider it. They're not even going to hold off or put on a moratorium with respect to the three dump sites. They're just plowing ahead with these great, giant cavities in the ground and putting waste in them.

People have worked very hard with respect to this development. There's the King-Vaughan Environmental Coalition in York region; there's the Credit Valley coalition; there's Don't Assault Rural Environments from the Peel region; and Vaughan Cares in York; and Pickering Ajax Citizens Together, PACT, of the Durham region.

This coalition came up and put forward this plan. The minister said, "Well, we're going to consider it." But we don't know what he's going to consider. If these people have a legitimate position that should be studied, why are we proceeding in the fashion that we are?

1530

I guess when you read the resolution, when we put forward the resolution, that's all we're asking. We're simply asking that this government disband the Interim Waste Authority, which has been flawed from the very outset. I would think that this government would be embarrassed with the way this group of people have conducted themselves in a very political fashion. Following Bill 143, which hasn't worked and is not going to work and will never work, why would they not even consider it at this time, having seen the actions of the Interim Waste Authority to date? More importantly, they must realize now that Bill 143, with its draconian sections, will not work.

We must look at all of the alternatives, which all of us are aware should be looked at, and put a moratorium with respect to the process of finding the three superdumps within the greater Toronto area.

We feel that there are other alternatives. This government seems to think that there are no other alternatives and that this is the answer, building giant dumps in the area is the only answer.

I can tell you that the people are concerned in these regions about their children and the effect that it's going to have on them with respect to their health, with respect to their future. It will have a tremendous effect on these individuals, which will include a population of over—

Mr Sorbara: How come he gets four hours?

Mr Tilson: It's in the middle of an area containing 4.5 million people.

I'm going to close so the member from York can come and finally have his say after he's been heckling me throughout my comments. I'd simply remind the members of this government where it stands with respect to farm lands. In their Agenda for People, which they put forward during the last election, under "Preserving Agricultural Land," they said that they would amend the Planning Act to preserve farm land.

"The agricultural land base in Ontario is quickly shrinking in the hands of a Liberal government which refuses to reign in the land developers. A draft foodland preservation policy statement under the Planning Act has languished at the cabinet table since early 1986. We propose a land speculation tax to slow the conversion of valuable farm land to other uses, and would pass major amendments to the Planning Act to prevent the conversion of classes 1-3 farm land to non-farm uses."

Under the Interim Waste Authority, of course, the proposed dump sites in all of the three regions are all on valuable class A1 farm land.

Reverse this policy, put a moratorium on the three dumps, and look at all of the alternatives, which you know you're supposed to do.

The Acting Speaker: The honourable member for Elgin, as previously agreed, has 15 minutes to participate in the debate.

Mr Peter North (Elgin): I'd first like to talk a little bit about just the issue of landfills in general, because in this particular province I think the issue of landfills has created an extreme problem for this government, and it's a problem that dates back quite some time.

A number of issues that are most difficult are the issues of opposing interests in issues such as the environment, agriculture, economics, and family and heritage. All play, I think, a large role in that particular problem.

I think one of the other issues that needs to be addressed, and it's something that I hear locally at home as well, is the issue of process. That is an issue that above and beyond anything that's been discussed either in this House or outside of this House is, in everyone's mind, I think, a catastrophic method of dealing with this particular problem, landfills.

There has been discussion on the regions of York, Peel, Durham, regions that are in southwestern Ontario, and on an area in northeastern Ontario with regard to landfills and how the process should work in granting or not granting landfills. It has been, to my knowledge, one

of the most convoluted discussions and processes this province has probably ever seen.

People of certain parts of this province, depending on the interest that they find for themselves, end up on both sides of the problem. They have had, on the one hand, support for a process that goes along to find a solution. Then there are people, on the other hand, who believe that the process is leaving them out in finding the solution. And we have vast numbers of people on both sides of the issue.

The thing that I found in the discussions I've had with people in the province is that neither is satisfied. You can talk to them about the issue of wanting the landfills and they're not satisfied. You can talk about the issue of not wanting the landfills and they're not satisfied because they can't seem to get the answers.

They tell me that when they speak to members of the government or members of the House in general, they find they can't get answers. They find that the answers they get are convoluted and that they are continuously talked back into the process: that the process will solve their problem, that the process will be the be-all and end-all of their problems. Yet in the end, they've neither understood the process nor have they understood the answers. They're left with a feeling of emptiness and a feeling of misunderstanding.

The last thing I want to say on that particular issue of process is the fact that they find, in dealing with the process, that it becomes a nightmare of red tape. It's something the government members and it's something myself as a government member and it's something I think past government members on this side of the House have spoken and tried to speak very clearly about, the issue of red tape and the need to try to control red tape and the bureaucracy of government. There's no method by which we are able to, or have been able to in the past, control that amount of red tape, and with that red tape comes a vast amount of money spent. Whether it's by municipalities, whether it's by interest groups, whether it's by members of the general public or whether it's by the government, in the end, all people who are involved in this process spend vast amounts of money on red tape.

In that, I wanted to use an example, and I'll use the example of Elgin county. I think I can show a fairly good example by using the Green Lane landfill, which is in Elgin county.

We started in September 1991 on a process to try and reopen a landfill that was deemed to be full. At that point, the municipalities asked the government of Ontario, through me, if there was some way we could come to a resolution of the problem at the time through an emergency certificate. Unfortunately, that emergency certificate was not granted. We had to begin a process by which we would find out whether or not the landfill that we had had, that was full, was adequate to serve the people of Elgin county and the surrounding municipalities, or whether in fact we could not find safety in that particular landfill.

At the time—and I've said earlier about process—there was a misunderstanding already, because shortly thereafter there was a landfill named Maidstone in the

Windsor area that for some reason, although it was in the same situation, was deemed to be something that could be opened, although Green Lane in Elgin county had to be closed. I don't know if there's any particular reasoning. I will tell you very frankly that the people of Elgin county thought the reasoning may very well be the fact that Maidstone was public and the landfill in Elgin county was private. But for whatever reason, it was closed.

We then went into the process and continued to follow the direction of the Ministry of the Environment that was given to the municipalities and went through a process that lasted just shortly more than two years.

We're now at a stage where we were given an interim certificate agreement to reopen, but at that point there was an appeal put in to the executive council of the province of Ontario. The people who made this appeal, some two people in the county of Elgin, felt that the process had not been followed properly. Again, here is a situation involving process. They felt the process was not followed properly, that there were some irregularities in the process and perhaps some irregularities by the people who were dealing with the process in the county of Elgin and also in the Ministry of the Environment.

1540

I wanted to talk a little bit about the impacts of this process and the impacts of these decisions on our particular county, to give you an example of what red tape can do in these particular situations.

For example, the interests of the environment, when you're in a process like this, undoubtedly become overlooked. As an example, we had in Elgin county literally tons, and I don't think I use the term lightly, of debris and waste; whether it was tires, whether it was construction materials, whatever the case may be, literally tons of material were dumped on to the side roads, the ditches of the side roads, in family farms in our community, in ravines and ditches and other areas that were, to say the least, unsightly, not to mention the cost in terms of economics to certain municipalities to clean this debris up.

Also in terms of the environment, there was a great increase in trucking, as we had to truck the debris, the collection of waste that we would normally do, down the road some 60 or 80 kilometres to Ridge Valley landfill, which is in the Blenheim-Chatham area, something the people of that area weren't exactly thrilled about either.

To be fair, there was also some interest by the people whom I mentioned earlier in the water that surrounded the landfill in Southwold township, the Green Lane landfill. I believe they were legitimate concerns and needed to be addressed. They were, coincidentally, addressed after that particular incident. In the interim between the time that we were closed and the time that we actually were reopened but closed, those interests were checked, the health and safety issues were checked, and it was deemed to be suitable or fit for consumption in that particular area.

The agricultural interests that people have in that area were, I believe, strongly impacted by this particular

process. On the one hand, you have people of the rural communities now having people from other areas coming in and dumping debris and rubbish on their front lawns, so to speak, or in the particular areas that surround their homes. The agricultural community came forward, saying, "Why would we want to go and look for another site in Elgin county when this is the one that has been deemed suitable, not once but twice, for taking waste from the municipalities of Elgin?" So there's been quite an impact on the agricultural community as well.

But I think the one I want to touch on most strongly is the question of economics, because I know the people of York, Peel and Durham will be concerned with this issue as well as they go through this process and try to find out what's going to happen to the waste from Toronto or the waste that will be coming into their area.

In our particular area, we've had devastation, basically, as a result of the recession. We've had some six plants close in the manufacturing sector, which has given us tremendous hardship in terms of job losses: some 2,000 jobs just as a result of the manufacturing sector. If you include the retail, business, municipal and agricultural sectors, those job losses could be in the neighbourhood of 4,000 to 4,500. So we've had a difficult time with it. The latest, just as an example, is MacMillan Bathurst, some 130 jobs that we lost on November 2.

These people talk to us and they talk to the municipalities, and they discuss costs. They discuss the cost of doing business in Elgin county, and one of those costs, quite frankly, is the cost of waste, to be able to rid themselves of waste. They're good corporate people. They want to do it in the most environmental way possible and they need to have a landfill in which to do it. But if they have to truck that garbage all the way to Chatham or to Ridge landfill, or wherever that landfill may be in the future, it impedes their ability to do business. So we're having a difficult time, and it's not conducive, I would say, to having people come into the area and set up a manufacturing business.

The other impact I would like to talk about is the impact it has on the people of the area. They are concerned. They obviously want an environmental way to rid themselves of waste. They have joined wholeheartedly in the process of the 3Rs and in doing the best they can to try to recycle, reuse and all of those things. They feel very strongly that they have worked through the process and done the right things.

They're in a situation now where they wait, and they wait patiently, but their patience is waning. It's a patience that costs them \$10,000 a day, as they wait and wait and wait for this landfill to be reopened. This question has been put to the executive council through the appeal. They've told them very clearly, "If there is no issue with this, we would like to see the landfill reopened and people able to rid themselves of waste in Elgin county in a safe and environmental manner."

I'll close by thanking my friends on all sides of the House for the opportunity to speak, just reiterating a few things about landfills in general. We need to have the safest process we can, the most environmental process we can, to do the things that need to be done for the environ-

ment. We need to be able to have a process that cuts red tape, not increases red tape. We need to have a process that lets people into the process, let's them understand the process and let's them feel a part of the process.

In Elgin county, we've had difficulty with that. We've had great difficulty with it in economic terms. It's costing us dearly to wait for a process that has passed us by. Although we've wanted to participate and have done the best we can to participate, it's now in the hands of the executive council. I don't believe that I've seen, in the time I've been here and in the time I was in government, a decision that was made by an Environmental Assessment Board with regard to a landfill that's been overturned by the executive council. Perhaps that may be something that will be done in the future. Perhaps that may be something that will be done as far as Elgin county goes. I believe it won't be.

In my view, it's time to get on with it in Elgin county, it's time to get that landfill open and it's time that the people of York, Durham and Peel had a chance to voice their concerns and put them on the record. I thank you very much for your time.

The Acting Speaker: Further debate, the honourable Minister of Municipal Affairs, also responsible for the greater Toronto area.

Mr Sorbara: Let's hear from Jim Wiseman.

Hon Ed Philip (Minister of Municipal Affairs): Mr Wiseman will be speaking, I'm sure. If the member will just be patient, I'm sure he will hear from Mr Wiseman.

I'd like to start off by thanking my colleagues for taking part in this afternoon's discussion and debate regarding waste management in Ontario, and specifically in the greater Toronto area. I'd also like to thank the honourable members of the official opposition and the third party for this opportunity to clarify any misconceptions regarding the government's position on this matter so that we can get on with the job of managing the 3Rs initiatives in waste disposal for the greater Toronto area.

Mr Sorbara: How about repealing the bill? Then we can get on with it.

Hon Mr Philip: I am always courteous to the honourable member for York Centre. I hope he will give me the same courtesy, since we have limited time for this debate.

My colleague the Minister of Environment and Energy no doubt would be in a better position, since he's so knowledgeable about this, to present the views of the government. Unfortunately, because of the tragedy in his family, he cannot be here today. I hope I'm able to present his views and his positions with some clarity.

Mr Sorbara: He wanted to repeal the bill. I remember he wanted to repeal the bill.

The Acting Speaker: Order, please. The member will have the opportunity of speaking later.

Hon Mr Philip: We also, of course, feel very deeply for him and for Anne and for members of the family at this tragic moment in their lives.

At the same time, I do want to express to the Minister of Environment my appreciation and admiration for the excellent staff he has, both political and bureaucratic, and

for the time they spent in helping me to understand some of the key issues and to answer the questions of the members in the House.

1550

Like many of my colleagues, I was certainly aware of the greater Toronto area's garbage problem. As the Minister of Industry, Trade and Technology and later as the minister responsible for the GTA and for economic growth in the GTA, I naturally saw the consequences of not dealing with this problem. But it's not until you become directly involved that you realize that waste management is indeed one of the most critical challenges of the greater Toronto area's environmental, social and economic wellbeing. Like every minister who's dealt with the issue, I learned very quickly that there are no easy answers.

My colleagues will further expand on the fact that there were not the easy answers this government was after when it developed and articulated the province's first comprehensive waste management strategy. They were the right answers, answers based on our belief that the problems of Ontario's environment had to be of foremost consideration.

We're very proud to be doing something positive to change our bad habits and to improve Ontario's wasteful reputation. The cornerstone of our strategy continues to be our commitment as a province to change Ontario's consumer way of life into a conserver society through the 3Rs. We remain committed to reducing the amount of waste going to disposal by at least 50% by the year 2000.

To date, the government has provided over \$160.4 million in funding for municipal business and institutional waste reduction programs across the province. In 1992, Ontarians sent—

Interjections.

Hon Mr Philip: Mr Speaker, members of the Conservative Party are polite enough to listen to me. Maybe members of the Liberal Party would show the same courtesy.

The Acting Speaker: I remind all members that you will have the opportunity of participating, if you so desire.

Interjections.

The Acting Speaker: Order, please. The minister has the floor.

Hon Mr Philip: In 1992, Ontarians sent 25% less waste per capita to landfills than they did in 1987, reaching our first goal of the waste reduction plan. It's estimated that around 440,000 tonnes of blue box materials were diverted from landfills across the province by more than three million Ontario households in 1992. Nearly one million homes are involved in backyard composting and approximately seven out of 10 offices now have waste reduction programs.

In the GTA alone, this government has invested more than \$50 million in municipal and industrial 3Rs activities. As the next step, we are now funding a number of special projects aimed at adding new materials to municipal recycling programs, improving cost-effectiveness and developing markets. Some key examples are: The MOEE

and the town of Markham in York region are pursuing a one-year, three-stream, wet-dry co-collection project to achieve over 50% diversion from landfill at reduced costs. Our estimated commitment is \$543,100.

The Ministry of Energy and Environment and the regional municipality of Halton have enhanced the region's recycling program to recover additional materials such as high-density polyethylene plastic, polystyrene, aluminum foil, boxboard and fine paper. Our estimated commitment is \$1,522,400.

As a clear step towards strengthening the market for old newspapers, the ministry has provided \$4 million in funding to Atlantic Packaging Products for the purchase of equipment to recycle 141,000 tonnes of old newspapers annually in its new de-inking plant in Whitby.

The ministry has provided \$575,150 in funding to the Canadian Polystyrene Recycling Association in Mississauga towards the purchase of equipment for its recycling facility. The facility is currently able to recycle 6,000 tonnes a year to post-consumer polystyrene products with the potential to expand and handle 16,000 tonnes a year.

The ministry provided \$1.1 million in funding to Fibre Resource Recovery Corp in Toronto towards the purchase of equipment to recycle old corrugated cardboard and wastepaper. The facility has an annual recycling operation capacity of 120,000 tonnes a year. The ministry has also provided \$300,200 in funding to IKO Industries Ltd in Brampton towards the purchase of equipment to reuse—

The Acting Speaker: Order, please. The member for Markham, on a point of order.

Mr W. Donald Cousens (Markham): My point of order has to do with the minister's speech in that it does not relate to the opposition day motion with regard to the NDP government selecting dumps in Durham, Peel and York. What he's saying has to do with other issues. Maybe he's got the wrong speech notes this afternoon—

The Acting Speaker: Thank you.

Mr Cousens: —and to that extent I'd like to correct him and give him a chance to find them.

The Acting Speaker: Order, please. The honourable minister has the floor. Please address the Chair.

Hon Mr Philip: If I may continue, if you don't produce it and if you're able to recycle it, it doesn't go into a dump. I think that if the member hasn't seen that point, then perhaps he'd like to read the speech, since he wasn't here for the beginning of it.

The MOEE provided \$300,200 in funding to IKO Industries in Brampton towards the purchase of equipment to reuse an estimated 19,000 tonnes a year of in-house asphalt waste in the manufacture of roofing shingles.

Thanks to our government's efforts, Ontario has become a leader in the conserver approach to waste management. Enormous strides have been made to divert huge amounts of municipal solid waste we generate from disposal to productive uses through the 3Rs. These achievements are testimony to the level of partnership and commitment to action by municipal and provincial

governments, by industry and labour, by environment and community groups, as well as by individuals.

That's why I welcome the proposals such as those of the Resources, Not Garbage Coalition, which presented its views. I think their views are worth examining and indeed trying to follow up on, as many as possible, unlike the members of the Conservative Party, one of whom I believe called the very interesting proposals by that very interesting group to be fairy dust.

Nevertheless, much remains to be done in a very short time frame. Even when the provincial waste reduction targets are actually achieved, there will be a substantial amount of residual waste requiring disposal. For well into the foreseeable future, the total volume of waste generated annually in the GTA will continue to be measured in the millions of tonnes.

The job of finding three long-term landfill sites in the GTA is a tough one, but I know it is necessary if we want to ensure that the long-term waste disposal needs of the greater Toronto area can be managed safely and efficiently.

The Interim Waste Authority was created in May 1991 and incorporated under the Business Corporations Act to conduct concurrent searches for three new landfill sites, one in Peel to serve its residents, one in Durham to serve its residents and one in Metro Toronto or York to serve the residents of the combined area.

The IWA reports to an independent board of directors: John Cherry, Margaret Kranmer-Bing, Joan Phillips, Bruce Campbell, David Balsillie and Walter Pitman as chair. The IWA search for three environmentally suitable landfill sites in the GTA is designed to be consistent with the requirements of numerous provincial and federal statutes, including the Waste Management Act, the Environmental Protection Act and the Environmental Assessment Act.

The IWA's search process entails a politically independent, scientific and technical process for site selection, including consultation with the affected parties, assessment of alternative site locations, considerations of all aspects of the environment and systematic evaluation of net environmental effects. It also includes clear and complete documentation of what the IWA has done, how it was done and why it was done. The IWA's preferred sites will then be studied even more closely by the Environmental Assessment Board to make sure they are acceptable places to put landfills.

The IWA comprises staff of 19 individuals, mostly seconded from other government departments, who coordinate the efforts of a team of consultants. These independent consultants have a broad range of expertise in the siting and the development of landfills.

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To conduct searches, the IWA developed a six-step methodology that began, in step 1, by screening out the areas which obviously could not be considered suitable as possible sites for landfill. These were areas where government policies effectively prohibited locating a landfill; for example, urban areas, parks, airports, agricultural lands where specialty crops or other unique agricul-

tural features existed and lands that were obviously environmentally unsuitable.

Step 2 screened out lands where present or future uses, such as approved plans for residential subdivisions or parkland, were incompatible with or unsuitable for a landfill site.

In step 3, the large tracts of land that were not screened out were divided into smaller areas by applying logical boundaries such as the provincial highways, regional roads, railway lines and some hydro lines. These were called "candidate areas." The candidate areas were divided once again to create candidate sites of the appropriate size to accommodate the landfill.

Step 4 analysed each candidate site according to how landfill sites would impact the environment, people, plants, animals, land and water resources. Those that measured a low overall impact comprised a long list of candidate sites that was announced in June 1992. Peel had 21 sites, Durham 17 and Metro Toronto 19.

In step 5, extensive consultation with the public and landfill site experts led to the development and ranking of a set of comparative criteria that were used to measure the potential environmental impacts of each long-listed site. People who participated in the public consultation workshops told the IWA that the higher-ranked criteria should be agriculture, biology, geology, hydrology and social. The lower-ranked criteria were archeology, aviation, design and operations, economics, heritage, surface water, transportation and planned land use.

Those criteria, applied to long-listed sites according to the ranking, led to the identification of the short list of sites which was announced by the chair. Peel dropped five sites, Durham five and Metro-York six. The public consultation process in step 5 resulted in an enormous amount of public input on the long list. The benefit of that input was that the IWA was able to add information about property characteristics that it did not previously have.

Some of that information led to the elimination of sites from further consideration. For example, the IWA had said that one site was removed because it contained agricultural land on which a specialty crop was grown. The process required that specialty crops be screened out in previous steps.

During step 6, the final and most demanding stage of the IWA's search process, copious amounts of data were collected to conduct exhaustive comparison analysis on each short-listed site. The end result of this work was the selection of one site in each study area that had the least impact on the environment. These preferred sites were announced by the chair on November 12.

Finding a location to put any waste disposal facility is not an easy job. Obviously, the process must be undertaken with the participation of the people who will be affected. That is why the IWA has made public consultation an integral part of its work. The public has been encouraged to participate and comment at every step.

The first opportunity came with the IWA's release of the draft approach and criteria document in August 1991. It set out a proposed approach and asked for comment

and discussion on it. Open houses and workshops helped facilitate public input. Similar formal and informal meetings have been and continue to be organized at each stage. As well, since the long list of candidate sites was announced, the IWA received more than 1,000 phone calls, 2,000 letters and 150 written submissions.

Despite the rigorous and open process, the IWA continues to be criticized, and I'd like to address these criticisms. Members of the opposition continue to say that the process isn't fair. They argue that the process isn't fair for all kinds of reasons. For example, some say that the search has taken too long and that it has created too much anxiety. Others say that they need more time to prepare their arguments. Some of the opposition say that the IWA produces too much documentation. Other members in the same parties say that they don't get enough information. Some of the opposition members complain that the IWA has access to expensive professional expertise, but others say it doesn't know what it's doing. Still others say that the whole process is a sham and that the decision has already been made.

I'd like to take this opportunity to assure the members of this House that the process that has been carried out is indeed fair and the IWA is committed to the following principles of environmental assessment process: (1) to consult with the affected parties; (2) to consider reasonable alternatives; (3) to consider all aspects of the environment; (4) to systematically evaluate environmental effects; and (5) to provide clear, complete documentation.

Adhering to these principles requires that the site search is open to public scrutiny, that it is traceable and is documented from beginning to end and must include broad public discussion. The IWA must defend the decision before an independent board of an environmental assessment, or EA, hearing, and if the reasons for the IWA's decisions are unsubstantiated, the board could reject the recommendation and require that all or part of the searches be repeated.

Second, the IWA is one of the first proponents in the province to offer participating funding to citizen groups who oppose the candidate site. Participating funding allows site groups, municipalities and other citizens to hire independent experts for the purposes of reviewing and monitoring the IWA's process before the environmental assessment hearings begin. The IWA has made the offer voluntarily as part of its commitment to encouraging public participation.

The first stage of participant funding was carried out during step 6 of the IWA's process, when \$1.5 million was provided. The second stage will now commence during the review of the IWA's step 7 testing; an additional \$1.5 million will be provided by the IWA for its second stage. The funding will be distributed by an impartial panel consisting of members of the Environmental Assessment Board as well as the Ontario Municipal Board. Intervenor funding, which is a legislative requirement, becomes available to citizen groups at the EA hearing stage. These funds allow groups to pay for professional assistance in presenting their views at the hearings.

Third, the public consultation process has allowed the

public to be involved in the decision-making process to a greater extent than has ever happened before in the siting of a public facility. Open houses, workshops, extensive distribution of information mailed to people's homes, group meetings, school presentations, community information centres, technical seminars, an information telephone number, presentation of briefs and more provided opportunities for people to hear about the search process and to tell what the IWA what they think.

Fourth, even though the IWA will do everything it can to lessen the landfills' impact, when all is said and done, some people are going to be living next to a landfill site. Needless to say, people want to know how the IWA will compensate them for the loss of property values and the quality of life if this happens to them. The IWA recently released a report outlining its commitment to fair compensation. It promises property value protection for people who are affected as well as outlining the efforts that will be made to minimize the impact a landfill has on the surrounding community.

The opposition has said that the process is flawed, and ever since the release of the long list of candidate sites, people have accused the IWA of creating and perpetuating a flawed process. One commonly asked question was, how could a state-of-the-art site search select prime agricultural land? Class 1, 2 or 3 agricultural lands were screened out by the IWA in steps 1 to 4 of the search process. The only exceptions were the urban shadow lands, publicly owned lands and lands designated as non-agricultural under Municipal Affairs.

Mr Sorbara: That's not true. Every single acre is in the urban shadow.

The Acting Speaker: Order, please.

Hon Mr Philip: Maybe the member for York Centre would rather have his family put buildings on those sites instead of a garbage dump. Mr Speaker, I'd like to ask that he kindly keep—

Mr Sorbara: You're really obnoxious, Minister. Don't accuse me of that sort of stuff.

The Acting Speaker: Order, please.

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Hon Mr Philip: Putting the last two aside, let's look at the urban shadow. This term describes land now in agricultural production but evolving away from farm uses. Most of it is located close to urban areas and, typically, non-agricultural development is encroaching. Sometimes developers own or have options on these lands.

Typically, urban shadow lands offer the lowest adverse effects in long-term agricultural use. When you're looking for large tracts of land for landfill in rural areas, urban shadow lands provide an opportunity to situate the facility as close to the urban areas as possible, thereby protecting those farms which offer the greatest potential for long-term agricultural production. The urban shadow concept has long been used in the EA process, not just during the tenure of this government but during the tenures of the two previous governments.

Some members of the opposition are suggesting that the IWA's approach to landfill searches is not cost-

efficient and is more expensive in comparison to searches undertaken by the GTA regional governments prior to this process. It is a little hard to compare the cost because none of the regional governments had completed their search process before the provincial government had to step in.

Briefly, the regional government searches were not moving fast enough to guarantee that new landfill space would be available when the existing capacity ran out. Regions were going to have to bridge the gap with interim sites. When the provincial government assumed the responsibility, the objective was to make certain that the GTA would not be without landfill capacity at any time and that all new sites would undergo a rigorous environmental assessment process. To achieve that, the IWA had to move as quickly as possible. It hired staff who would be dedicated to the project. It implemented searches simultaneously and it provided for extensive public information and consultation. As well, the IWA added a further aspect to public consultation the regions hadn't, and that was participant funding.

There's no doubt that the process is comprehensive, but it must be in order to ensure that it is open and fair, and that costs money. The IWA has advised me that it has spent \$49 million to date. There are three factors to be considered when talking about the IWA's cost. The IWA has made every effort to clearly present the search approach and findings at every step of the process.

The search has been conducted within the broadest public consultation programs that have ever taken place in this country, let alone in this province. One quarter of the IWA's spending has been for public consultation and participation. The IWA is moving along quickly, faster than any other landfill proponents in the province. For example, it took Halton more than five years to identify its site, Kingston's search has been going on for seven years, Lanark's search has been going on for eight years, and they still haven't found sites. The IWA has undertaken an environmental assessment process and identified its preferred sites in just two years. Moreover, one must also remember that the IWA is doing three concurrent searches, not just one. Nevertheless, it is still incumbent on the IWA to be cost-effective.

In summary, I would say to you that both the Liberal and Conservative governments have stood back and not dealt with the problem, with a ticking clock as the problem of garbage disposal in the GTA mounted.

As minister responsible for the greater Toronto area, I'm concerned both about the environment and also investment in this area. The process this government has devised is fair, is independent and is transparent. If we are to continue to attract investment and create jobs in the GTA, we need a process that has some finality. This is a process that any objective person would see is fair and has some finality to it, and I'm committed to it, as is the Minister of Environment.

Mr Sorbara: I want to begin by congratulating my friend from Dufferin-Peel for bringing this emergency debate, this opposition motion, to this Parliament this afternoon. I don't think, frankly, as I look around the province, that any issue has more inflamed, certainly, the

people of the greater Toronto area than this disaster the government has created on the question of building megadumps, one in Peel, one very large one in York region and one in Durham.

I want to say to the minister, who apparently doesn't have the courtesy to sit through the rest of the debate—he chastised me for interrupting him—I want to talk just for a moment about interruption. I want to talk about the way in which the government has interrupted the lives of thousands and thousands of people in Peel, in Durham and in York region.

I want to talk about the fact that this afternoon, rather than being back in the city of Vaughan looking to the important municipal problems that arise in our great community, the mayor of the city of Vaughan has to come down here to be part of and witness this debate, because this huge, terrible, obnoxious issue has disrupted the city of Vaughan and York region like no other issue I have ever seen in the nine years that I've sat in this Parliament.

I want to talk about the people of Caledon whose lives have been interrupted dramatically—the other night 500 or 600 people out at a meeting, not being with their families, not attending to the kinds of things that one would normally like to attend to in community life, but having to go out to meeting after meeting.

Tonight well over 600, perhaps 1,000, people will be at St David's church in the community of Maple in the city of Vaughan to start organizing to wage what can only be described as a war against the government of Ontario, given what they have done and the disruption that they have caused in our communities as a result of this flawed, this stupid, this obnoxious policy called Bill 143 and the government's waste management strategy.

If the minister now sitting in for the Minister of Environment or any member of the government party or any NDP member had had the courtesy and the courage to attend a week and a half ago at the announcement made by the puppet IWA in a banquet hall on Steeles Avenue in the city of Vaughan, if any one of them had had the courage to attend that meeting, then they could have witnessed for themselves the level of anger, the level of despair, the level of concern and the level of outrage from people in all three communities at what was about to happen to them.

I want to tell you, sir, that the puppet IWA is not the real issue here, other than that it has spent some \$50 million of your money and the money of the taxpayers of Ontario in this great process that the minister reads about—and frankly, sir, I just want to interject by way of saying I find it terribly discouraging indeed that a parliamentarian like the Minister of Municipal Affairs doesn't have the courage to come in and speak about this issue. He reads some two-bit speech prepared by some low-life individual, probably in the IWA. I think that's absolutely objectionable. If he had the courage to come in and speak his own mind, that would be a different quality of debate.

But let's get back to that announcement; let's get back to the announcement of the puppet IWA doing the government's bidding. The reason I describe it as the

waste management equivalent of the declaration of war is because the level of resistance that one felt among citizens and their representatives, like the mayor of Vaughan who has come down, as I've said, to bear witness to this debate, is really tantamount to taking on a government and being so determined to use every legitimate means at their disposal to make sure that this thing, this outrage, does not happen to them.

The good news is that the people of Vaughan and the people of York region and the people of Peel and Durham are going to win this war. There is such a determination to forgo what otherwise they do with their lives and to use every tactic and strategy to make sure that we slow this process down, legitimate means—no one's talking about breaking the law—but every legitimate means to ensure that this doesn't happen.

The good news is that time is on our side, that there's no way that the government is going to be able to ram this thing through in the time left in its feeble life as a government. They know over there that the parliamentary clock is ticking.

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The truth is, if Bob Rae were true to his word, we'd be having an election next September. The Premier, when he was in opposition, proclaimed the fact that he believed that after four years was the time for a government to go back to the people and seek a new mandate. Do you think Premier Bob's going to do that? No way. Do you think we're preparing for an election next September? We're ready any time, but Premier Bob Rae doesn't have the courage to call an election within the time frame he set out as a matter of principle when he was Leader of the Opposition.

But that's okay because it's still under two years. Even if they go right to the very end and have an election in September 1995 they still don't have enough time to take that agricultural land and turn it into a big pit filled with garbage. They can't physically do it. They're going to run out of time.

We're determined to make sure we do everything in our power to see that they are so far away from a conclusion to this process the minister talked about that all we will need is a defeat of the New Democrats and then we can get on with a better way of dealing with this problem. There is a better way and I'll get to that in a second.

But there's another aspect of this thing, this disruptive aspect, this warlike aspect of this battle we're having with the government: Like all wars, no matter what the parameters of the battle, there's economic damage and there's personal damage done.

I want to tell my friends that they should consider for a minute the economic damage, if nothing else, that you've done in the city of Vaughan, and in Peel and in Durham.

Mr Cousens: And Markham.

Mr Sorbara: Markham's another story and we're going to hear from my friend from Markham in just a few minutes.

If you talk to the people in our community now,

everything's on hold: no plans for the natural continuation of growth of the community. Remember, Vaughan is the second fastest-growing community in all of Canada. A whole bunch of that development, new homes for people looking for homes, new businesses, all of that stuff is really on hold because of this fear that this thing somehow will actually get done and it will devalue, for years and years and years, like half a century, the attractiveness and the viability of our communities.

I just want to tell you, sir, and the people of Maple and Vaughan and York region, that while I understand this pause in our economic development has to happen while we fight this war, I just want to tell them and you, Mr Speaker, that we are determined to win this.

If we cannot, through debate and through intervention, get the government finally to do what is right and bring in a bill to repeal Bill 143 and end this process, if we cannot do that, then we will do it with the ballot box in the next election.

I want to say, parenthetically, that if through some crazy, unimaginable electoral fluke that party ever gets re-elected, frankly garbage will be the least of our problems in this great province. People would be so discouraged that it wouldn't really matter where you put a dump because basically people would say, "Turn the lights out, we've got the socialists for another four years." But it's not going to happen.

I was out there in the street during the last federal campaign. I was at doors virtually on every single day of the campaign. I know what the people of Ontario, not just in York region but right across southern Ontario—I didn't get up into any northern ridings. But, you know, typically what you would hear from people is, after I made my pitch for the Liberal candidate with whom I was campaigning, they would say, "We're considering that, but would you tell me, Mr Sorbara, how long is it going to be before we can vote against the NDP government?" That's the election they're waiting for. That is our ace in the hole as we fight these guys on this business of megadumps in what the minister calls the urban shadow.

Think of it. Think of what it means to virtually destroy the economic viability of thousands and thousands of acres of land right in the backyard of the greater Toronto area. You don't put those dumps there. You know that over the course of the next two generations, that's where the development is going to be. That's where the next generation, our children and grandchildren, will build their homes and communities.

But how many new communities do you see encircling landfill sites that leak into aquifers and pollute the water we drink and the wells out of which we draw the water? All the evidence is there, sir. No matter how much engineering you do, no matter how thick you make the clay, the dumps eventually leak and they eventually pollute, and inevitably they give off tonnes and tonnes of methane gas that has to be burned, so carbon monoxide and carbon dioxide go off into the environment.

Yet they are so narrow-minded that they will consider nothing else but outhouse technology—that's what dumps are—and they are so narrow-minded that even before they begin all that process that the minister talks about,

they put right in the law that the dump has to go in York region.

Where was the process for that? Who made that little decision? Where were the hearings to determine that Metropolitan Toronto's garbage was to be placed and sited and dumped in York region? You want to know who made that decision? The cabinet of Ontario under the leadership of Premier Bob Rae and the then Minister of the Environment, Ruth Grier, the member for Etobicoke-Lakeshore. No hearing, no process, no consideration; a secret, private determination that we would have outhouse technology and that the site for Metro's garbage would be York region.

Then they spent \$50 million picking out the particular site. Well, I want to tell my friends on the other side that for about \$1.95, I could have told you the site that they would choose. If you come to York region and you look, it's quite obvious, because anything north of the site that you choose, you're right into the Oak Ridges moraine and you can't put a dump there. Then you're into the watershed of Lake Simcoe and you can't put a dump there. Anything further south, you're into the urban areas of the greater Toronto area. You're out of the urban shadow that the minister talked about.

Are we surprised that we've got a site just on the edge of our communities and the Oak Ridges moraine, right next to the highway that you want to use to send the dump trucks up? Why are we not surprised? Why did you spend \$50 million?

I'll tell you why: So that some Minister of Environment or someone sitting in for him or her would be able to say that the process was impeccable. Well, the fact is that the process is a disaster, and the disaster is the decision to accept only outhouse technology and to insist that the garbage goes in York region.

I said earlier on in my remarks that this is not a difficult problem to solve. The first step is to endorse this resolution and repeal Bill 143. The second step, if you want to keep the IWA, is to tell the IWA that it has to continue its search for a solution to the garbage issue based on two simple principles.

The first principle is to identify a willing host community. Now, that's not all that difficult, particularly given the fact that a lot of money flows to the community that is the ultimate site for a waste management facility. While Kirkland Lake is one, I'm aware that there are others, willing host communities that say they would invite an opportunity to provide a facility.

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The second principle that should direct our future site is to compare all available technologies in dealing with the waste, to have a real environmental assessment process that compares dump technology with the other available technologies that are emerging all over the world.

What is of great interest is that when Bob Rae, now Premier Bob Rae, was in opposition, that's effectively what he promised when he stood on the edge of the proposed dump site in Whitevale, when he came to my own riding of York region, and in Peel as well. That's precisely what he promised, because that is what a full

environmental assessment does: It compares a variety of sites and must compare a variety of technologies.

It's the betrayal of Bob Rae and the NDP government that has set the people of York region and Durham region and Peel region at war with the government, and it is a war that the people will win.

Mr David Johnson (Don Mills): I'm delighted to be involved in this debate today because I must say I congratulate the member for Dufferin-Peel for having brought forward this motion. It's one that I support 100%.

Reference has already been made to the fact that the mayor of Vaughan is joining us today, and were she able to speak, were she in this House, which one day maybe she will be, what she would say to the members of this House is, why is this Interim Waste Authority process in place only here in the greater Toronto area? Why doesn't it apply to the rest of the province? The reason is, of course, that it doesn't make sense even here, let alone in the rest of the province.

In Kingston, for example, they are going through a similar process. Kingston isn't governed by the Interim Waste Authority process, isn't governed by Bill 143, and it is looking at the possibility of the export of waste. Indeed, waste is being exported today, and the government is turning a blind eye to the export that's actually occurring even today. They don't sanction it, so it's not popular to talk about it.

Waste from Metropolitan Toronto is being exported, for example, to an Occidental incinerator in the state of New York. Waste is going to landfill sites in Erie, Pennsylvania, and in Detroit, Michigan. Waste is being exported to Waterloo in New York and to the Seneca Metals landfill. This is waste from Metropolitan Toronto, waste that formerly was destined for either the Keele Valley site or the Brock site, but because the tipping fees are high, the waste is exported to American landfill sites. It's being exported to Ohio, it's being exported to Indiana, to the Grand River disposal landfill in Detroit, Michigan, and on and on it goes.

If the government is prepared to accept the export of waste to the United States, why isn't it prepared to look, for example, at a willing host site in Kirkland Lake? If it's okay to send it to Ohio, why isn't it okay to look at the Kirkland Lake site which is a willing host site? It doesn't make any sense.

The mayor of Pickering is here as well. If the mayor of Pickering were here and if he could speak to the House today, the mayor would say that we're looking at this whole issue from the wrong way, that we should look at it from the point of view of least social impact on population and look at the population of the GTA, over four million people who are having to deal with this problem in the most densely urbanized area of the province of Ontario.

Does it make sense to impose a landfill site through this flawed process in that area or does it make sense to look at the export of waste to a willing host site? The mayor of Pickering would say we should be looking at land use. Is it a good use of valuable land, thousands of

acres of good farm land in southern Ontario, or is it a better use to be looking at other alternatives for that same property, the farm use by itself or, in the future, residential use, commercial use perhaps, industrial use, any kind of economic development in the future? We will rue the day if we put a landfill site on the three farm properties that are being discussed. In the future, this will be looked at as being very shortsighted.

It perhaps raises the question of the view of this issue in Kirkland Lake in northern Ontario. I have a copy of the Northern Daily News and it's dated August 23, 1993. It's the editorial from the Northern Daily News. It says, "Joe Mavrinac is a pit bull when it comes to promoting the area's economic wellbeing in what he calls the great garbage debate." We all know that Joe Mavrinac is the mayor of Kirkland Lake.

"With no place to turn but to Queen's Park, southern Ontario municipal leaders in all likelihood will redouble lobbying efforts to arrive at a viable solution...."

"With land for landfilling to spare, the north is eager to assume a lead role in waste management—and to collect \$600,000 to \$700,000 annually in dumping fees alone from Toronto."

That's the attitude. Now, compare that with the situation that is faced in southern Ontario, in Caledon, in Vaughan, in Pickering, where the residents, rightfully so, will mount a heated opposition, and that's an understatement. The citizens will mount the most ferocious attack on this process that I'm sure this government has seen in many, many years, not only in terms of their own personal actions, but in terms of legal cases and of testing the process to the fullest.

To contrast that again, I get back to the editorial from the Northern Daily News, November 9, 1993, just a few days ago. "The communities of Kirkland Lake, Englehart and Larder Lake have spent \$25,000 to answer the \$64,000 question: What is turning the Adams mine into a landfill for Metropolitan Toronto waste worth to the economic wellbeing of this hard-hit region?"

The answer is an estimate that "a 20-year waste disposal contract would generate upwards of \$320 million in direct and indirect benefits for the region...."

"The report stresses the potential for jobs in a time and place when work is scarce...." They say this should impress even Bob Rae. Apparently it doesn't.

"For too long the province has stubbornly insisted it doesn't want any solutions other than home-grown remedies for Metro's garbage woes. From its lofty perch on the environmental high road, the government has maintained it doesn't want the north to become a dumping ground for the south.

"But this issue isn't about garbage; it's about jobs."

That's what's said in the Northern Daily News, and I think that's a pretty fair assessment of what's happening.

Metropolitan Toronto faces the predicament that it agrees with the motion that the member for Dufferin-Peel has put forward, that this process is flawed. Now, I'm speaking on behalf of people who will be sending garbage to the landfill site in Vaughan. But the Metro council agrees that this process is flawed and the Metro

council long ago attempted to work an arrangement with Kirkland Lake as a willing host.

Mr Gilles Bisson (Cochrane South): As long as it goes to northern Ontario, it'll be fine with you.

Mr David Johnson: Indeed, over the next few weeks Metropolitan Toronto, if I can speak over the heckling—

The Acting Speaker (Ms Margaret H. Harrington): The member for Cochrane South, please come to order.
1640

Mr David Johnson: —will be going forward and officially requesting willing host sites from across this province, and it's expected that the Kirkland Lake site will come forward.

Why are they doing that? Because they don't believe this process will work. They don't believe that at the end of the day this Interim Waste Authority process will result in a disposal facility for the people of Metropolitan Toronto. The Metro government has a strong obligation to ensure that such a facility exists, so it cannot rely on the government and is going ahead on its own.

The only statement I would make at this point is that I hope this government will come to its senses, and as Metropolitan Toronto continues on its track to make arrangements with a willing host site, this government will permit—we've heard the minister here today say that a willing host site can come forward, but reading between the lines, certainly the members of the Metropolitan Toronto council, as indeed the mayor from Kirkland Lake, are concerned that no matter what the minister says, this government will not permit a willing host site if it involves export from this region.

I hope the government will come to its senses and will permit other sites such as Kirkland Lake to be considered with an environmental assessment hearing. It would be much better if the government would include those sites up front, but at least permit such a site to be considered.

Going beyond that again, and of course this will be asking too much, the government should permit other techniques such as incineration to be considered as well.

There's much more I could say on this topic, but my time has expired, so I'll permit other members of the caucus to carry on from there.

The Acting Speaker: In rotation, further speakers. I recognize the minister of consumer and corporate relations.

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): Consumer and Commercial Relations, Madam Speaker.

I am very pleased to participate in this debate today on the IWA process.

Mr Tilson: On a point of order, Madam Speaker: I'm concerned that with a matter as important as this, I count 12 people in this House.

The Acting Speaker: Are you asking for a quorum call?

Mr Tilson: I am indeed asking for a quorum count.

The Acting Speaker: I will ask the clerk to determine if a quorum is present.

Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Senior Clerk Assistant and Clerk of Journals: A quorum is now present, Speaker.

The Acting Speaker: Thank you. The debate will continue. The minister may have the floor.

Hon Ms Churley: Of Consumer and Commercial Relations. I'm glad we do have a quorum, because what I have to say I think is important, although I'm really interested to see that this is a Tory private member's bill today and there are only three of them here for this.

Mr Sorbara: It's an opposition day resolution.

Hon Ms Churley: Resolution, sorry. For this resolution, there are only three of them in the House and two Liberals. It shows their commitment to this whole issue.

What I want to concentrate on for a few minutes, and I could go on for hours about this because it's an issue that I've been intimately involved in for about 10 years, is the issue of incineration, which is one of what have been called the viable alternatives by both opposition parties, and why we're not looking at that.

Let me say to the members opposite that the government did not come to that decision lightly. We certainly want to look at any viable options that we can, because we all know that landfill is not something that, at the end of the day, is environmentally sound. We do our best to make it as sound as we can, but overall, when looking at incineration, the problem is that in a lot of people's minds, it's out of sight, out of mind.

The reality is, it's really taking an old way of dealing with garbage by burning it, creating new technology to burn that garbage and saying: "Oh, we've got this wonderful technology. We're going to throw it all in another kind of hole and burn it up." Well, it doesn't disappear. About a third of that garbage by weight ends up in fly ash and slag and turns into a very hazardous material which has to be disposed of and is even harder to be disposed of than ordinary solid waste. That in fact is reality.

Interjections.

Mr Sorbara: God almighty, Marilyn, you're talking about the 1960s. That was in the 1960s. Remember, when you were a municipal politician? They don't use that any more.

The Acting Speaker: I would like the members to come to order. The minister has the floor. She is here to express her views, and we'll hope we'll be able to hear your views shortly after.

Hon Ms Churley: To address what has been said across the floor immediately so maybe they'll be quiet and listen, the latest tests on some of the newest incinerators show that these problems still exist, and that evidence can be produced a little later.

Very quickly, what I'd like to say is that when you throw all this garbage into this big hole to burn it, yes, there's new technology to burn it, but the reality is that you need to keep the temperature very high and at a consistent level. In order to keep that temperature high

and at a consistent level, you need to use materials that should be reused. This is a resource issue as well. The reality is that this government is committed to the hierarchy of the 3Rs, and moving in the direction of incineration will move us away from that.

When you burn these materials, they produce very heavy toxic materials that go up the smokestack, and these materials go for miles and miles and fall on our land and fall in our water and fall on our farm animals. At the end of the day, we end up drinking in our milk and eating in our food dioxins, mercury and other highly toxic materials. There is no way to contain it whatsoever. It goes up the stack and out it goes and falls literally for hundreds of miles.

The other problem here is that once you have the latest abatement equipment to deal with the pollutants in this material, the better the equipment is, the more it does trap some of these materials, but it doesn't trap it all. That has to be dealt with in landfill somewhere, and that is a real problem. Trying to site a landfill or a site for hazardous materials is even more difficult and even more dangerous.

1650

Another problem is the expense. We have looked at, and governments for some time have been looking at, cost-effectiveness as well. What has been proposed over here by the members of both opposition parties is that we spend time in a hearing looking at a technology that really doesn't work and in fact takes us back even further into the Dark Ages. It is a quick fix so that people will say: "We don't have to do landfill anyway in my riding right now. Let's look at incineration, and that'll solve the problem." Mr Speaker, it doesn't do that.

Mr Sorbara: On a point of order, Madam Speaker: I just want to offer the minister an opportunity to correct the record. She is accusing several European jurisdictions—

The Acting Speaker: That is not a point of order.

Mr Sorbara: —of living in the Dark Ages.

The Acting Speaker: Would the member for York Centre take his seat.

Mr Sorbara: I don't think she would want that on the public record, Madam Speaker. I just invite her to correct the record.

The Acting Speaker: Would the member take his seat.

Mr Sorbara: I certainly will, but I invite her to correct the record.

The Acting Speaker: Would the member take his seat. The minister—

Interjections.

The Acting Speaker: The minister has the floor to express her opinions. Can we have order. Minister?

Hon Ms Churley: Mr—Madam Speaker, I'm sorry. I keep referring to you as Mr until I look that way. Most of our Speakers are males, so I forget. I apologize for that.

As I was saying, incineration is less cost-effective than any other method we know of for dealing with garbage. It is more expensive than all of the other waste disposal

alternatives. That is something that also has to be considered. If it were clear to us that it were an environmentally sound proposal to look at despite the expense, then the government would be willing to look at it. But all of the evidence shows that it is taking us away from the 3Rs hierarchy, it is highly toxic, and it creates more environmental problems while we're trying to fix some of the old ones. That just does not make sense. I would ask the members of the opposition to work with us to come up with viable alternatives that are as environmentally sound as possible.

I appreciate the time you've given me today, Madam Speaker, for participating in this debate.

Mr Charles Beer (York North): I rise in support of my colleague's motion. I rise in support and, I guess, as do so many who have been battling this particular issue over the last couple of years, one wonders just what it is going to take to make the government recognize the futility of the policy that has been put forward, and in particular the futility of the proposals that were made just a few days ago with respect to the three preferred sites.

One of the things that I think we need to do with this debate that is ongoing is to stop for a moment and just think about what is being proposed. I'm going to start there, because I think the minister, whom I respect, unfortunately has used a line of argument that just simply doesn't fit in with what is happening. Let me explain why.

The minister has said that incineration is a bad technology, is not the way to go. That may be. What we have said, and what the third party has also said, is that we want a process that is going to look, within the context of an environmental assessment, at all of the options that are currently available.

When so often we hear from the government side, "You over there in the Liberal Party or in the Conservative Party are proposing things that are environmentally unsound," I ask myself what on earth is sound about proposing the megadumps that they are proposing.

This is right in the legislation. It goes right back to Bill 143 and it is, I would strongly suggest, Bill 143 which has caused us all of the problems that we're currently in.

I come from York region and I want to use the example of the proposed dump in Vaughan which is going to be north of Maple and adjacent to the town of King City. As an example of trying to say to those who perhaps are watching on television, to those members of the government who are here, whatever your feelings about different and various alternative technologies, how you can possibly be proposing that what we are now going through in terms of these megadumps in any way, shape or form makes sense? It strikes me that as a matter of public policy, as a matter of environmental policy, what is being proposed is absolutely ludicrous.

I wasn't able to be here when my colleague from York Centre spoke, so I don't know if he used the phrase that he so often uses, "19th-century outhouse technology." Take away all the glitz, take away all of the fancy reports; a megadump of the size that is being proposed is 19th-century outhouse technology and no amount of

pseudo-scientific argument can make that appear any different.

After the announcement that was made by the IWA a week ago Friday, a number of us went to the proposed site in Vaughan, in York region. From where we were standing at the southern end of that site, you could see the Keele Valley dump. So you had to ask yourself: In what way is it environmentally sound to be proposing a dump the magnitude of which is even greater than the dump at Keele Valley? It is a dump, a dump that we know from the Keele Valley example leaks; there is leachate. There are problems with that dump.

It is maybe a mile, a mile and a half tops from Keele Valley to the proposed new dump. What does that say about what we are trying to do on any measure, whether we're talking social equity or environmental equity? Surely on all counts, whatever one's views are about rail-haul, whatever one's views are about incineration, whatever one's views are about any number of other technologies that are out there, it seems to me that common sense says the proposed megadump makes no sense. That is not the answer. There must be better approaches.

Go back to Bill 143. Can we get some guidance? Why did the government decide in the fall of 1990 that it wasn't going to continue with the process that was allowing the regional areas to look at how they could best deal with their garbage over the next 20 years? The minister of the day said, "No, I'm going to do it, and the vehicle through which I'm going to do it is the creation of the Interim Waste Authority, and I'm going to put into that bill restrictions on what they can do, what they can look at."

Our argument as members here in the House is not with the members of the Interim Waste Authority. They are and they have been trying to carry out their mandate, as difficult and indeed as impossible as that mandate is. The argument is with the government that brought in the bill. If you go back and look at that debate, you will see that those of us on this side of the House said there is one good thing in that bill, and that was the fourth part that dealt with packaging.

We said, "Take that apart and we're prepared to look at that, to work with you and to provide support." But we said that the other sections of the bill were not only going to strip the rights away from ordinary citizens to really be sure that they could have a fair environmental assessment, they proposed a response that we just don't need today and that won't work. Frankly, I don't think any of those three sites are likely to pass muster in terms of the kind of review that they're going to have to go through.

1700

Nobody today has one simple answer to the waste disposal problems of the greater Toronto area. It's another reason why, we argued, it is only by looking at all of the options that you can really then come up with a mix that's going to meet the needs that are there.

Why has the government refused to do that? We have had an incinerator functioning in Brampton for about a year now. That's not the answer to all of our waste

disposal needs—no one is suggesting that—but we should look at it and we should try to develop the kind of scientific evidence to see whether this is a practical part of, a practical component of an overall solution.

Rail-haul: We have talked in our party about the concept of a willing host. If the government, on the one hand, is saying York region must, not "might" but "must" take the garbage from Metropolitan Toronto, then why is it refusing to allow other areas that say they might be prepared to take garbage to look at that, to put that under the environmental assessment process and try to determine if in fact in this particular case the proposals that have been made by Kirkland Lake make sense?

No one has said, "Do it." What we've said is, "Put it under a proper and appropriate environmental assessment." Because if you're dictating to York region, "Thou shalt take the garbage of thy neighbour Metropolitan Toronto and thou hast no choice," then it seems to me that is every bit dictatorial and autocratic and provides no recourse for anyone within that region, let alone in the area adjacent to Maple and King City, to be able to say: "No, that is not fair; that is not just; that is not equitable; that should not be."

It's one of the reasons why the mayor of Georgina, Bob Johnston, has launched a court case which is still very much alive, going through the process, and which, under the charter, is simply stating that the rights of the citizens in York region have been abridged.

Why will the government not stop and do the only sensible thing at this point in time? We've spent \$50 million on this process which, despite all the argument from the government members, is not fair, is not equitable and does not give citizens in this province real rights in terms of where waste disposal sites should go. That's \$50 million since June 1992, and for what? To many, many people, the final options that have been put forward are ones about which I think really all of us, when we sat down back in June 1992, when we first saw the list, said, "I know where that's going to go," and Vaughan was the clear location that everybody fingered.

Why? Because it was closer to Metropolitan Toronto, because it already had a dump site, because it was close to Highway 400—all the arguments were there—and because in effect Vaughan, Maple, King City, the residents in York region, had no real power, no way to stop it. It was simply going to happen.

What we've said, and I think we've all been pretty consistent on this in the opposition, is that we must simply get rid of the Interim Waste Authority. It has not played any useful purpose in trying to determine the most appropriate way to get rid of waste in the greater Toronto area, and that's the only place where we can begin. We have to admit that this process has been a failure. It has not been transparent; it has not been fair; it has not been equitable; it has not been just. The only one that is in fact is the one that is going to truly meet the spirit of the Environmental Assessment Act and look at all of the options and put them under review.

The government keeps saying that under no circumstances will it look at any other options. This is what in effect the minister, speaking before me, was saying: "No,

we've got to end up with dumps because we can't have incineration; it's bad. We can't have rail-haul, because it's bad. We don't want to look at the concept of a willing host except in the case that we'll make it necessary that an unwilling host, York region, has to take the garbage from Metropolitan Toronto."

So how do we get out of this mess? I say to the government members that the process we're now into is going to go beyond the time when that next election will occur, and during that election the issue of waste disposal is, I submit, going to be a major one, not just in the greater Toronto area. I think all members know, wherever they are from, that this is a key issue.

If the only answer that this government has, and so far it's the only answer it has put forward, is that dumps, megadumps are the way we have to find a solution to our garbage problems, then we are going to have incredible civil unrest throughout this province the like of which we haven't seen, because people are saying, "Our rights are being taken away from us, because the solution is being dictated to us in terms of what we must have."

We cannot, I believe, accept the fact that waste dumps, megadumps are the only solution. We have to personalize it. I close, as I began, by saying to members opposite on the government side, and to those who are watching this debate, that this is not the NIMBY syndrome—not in my backyard—at work.

We in York region and in Maple and King City—

Laughter.

Mr Beer: I hear the member from the government side laughing over there, and I say to that member, you go to Maple, you go into Keele Valley and you try to determine whether putting another dump even larger than that within that same area makes environmental sense. It does not.

I think the people who live in the area around Maple, who live in the area around King City, can take great offence at members on the government side who belittle the concerns that they have and who in effect say, "Just because you've been living next to a megadump for all of these years does not make that, as a matter of social equity, a perfectly valid reason why that should not be considered in your community."

What I urge the government to recognize is that the policy that it has adopted through Bill 143, the policy that it has ensured that the Interim Waste Authority has now taken to its penultimate conclusion, is wrong. It is, as I said before, bad public policy and it is bad environmental policy. I want the government to know that on this side of the House we will continue to fight this because we believe that this should not happen and that there should not be a megadump in these three regions.

Mr Cousens: I very much appreciate the leadership from the member for Dufferin-Peel and also the excellent remarks that are coming from the members of the Liberal caucus today. I think that we share something in common, and that is that we have a mammoth problem with this government and the way it's approaching the selection of landfill sites.

Also, there is the fact that in the gallery is a large

number of people representing different groups: The mayor of the city of Vaughan has been mentioned, Mayor Lorna Jackson. Also, the mayor of Pickering, Wayne Arthurs is here.

Mr Bisson: On a point of order, Madam Speaker: I would think that the Conservative and Liberal caucuses would be interested in listening to the speech on opposition day. I don't think we have a quorum.

The Acting Speaker: Are you calling for a quorum call?

Mr Bisson: Yes.

The Acting Speaker: Would the clerk please determine if a quorum is present?

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Madam Speaker.

The Acting Speaker: Thank you. The member for Markham has the floor.

Mr Cousens: Among others who are also with us: Peter Barker; Albert and Junta Heinrichs; Sarah Hunt; Nancy Stewart, acting chair of DARE; Richard Whitehead, a regional councillor from Caledon; David Probert; Harold Alexander and Ernestine Ogilvie from the King-Vaughan coalition, also representing Mayor Britnell. People care, and the fact is that they've taken the time to come just to find an answer to this problem, and to see how we can resolve it would be a great pleasure to them.

Having listened to different speakers today, the Minister of Municipal Affairs, responsible for the GTA, really doesn't understand why people are upset at all. He went off on a tangent and talked about recycling issues. I would have to think that there isn't a member in this House who doesn't strongly support the initiatives of the 3Rs in the province of Ontario. For him to go off and say that's the only answer—that is not the only answer, when you know the government is in the process, through the Interim Waste Authority, to bring in three huge megadumps in the greater Toronto area. What he had to say didn't lead one to believe he understood the reason people are paying attention to this issue.

1710

When he starts talking about the urban shadow lands, I start to realize that a farm is a farm is a farm, and if it's within the shadow of Metropolitan Toronto, it's still a farm and has tremendous value to us. It just shows how the New Democrats have lost the sense of what a farm was when they were in opposition and what they think of one today.

The member for Riverdale, when she talks about incineration, certainly gave no evidence in her statements of why she's opposed to incineration. I would think the one favour you could do as a government and for the member for Riverdale is, instead of just saying you're opposed to incineration and will not allow an evaluation of incineration as an option, allow it at least to go through an environmental assessment process. That's all we ask.

I don't know whether incineration's the full answer or not; I don't happen to believe it is. Notwithstanding that, don't make a political decision that says you're opposed to it; make a decision based on scientific technical data and allow it to go through an EA process. Instead, in Bill 143, you and your government have disallowed any consideration of incineration. All we say is at least look at it, and you as a government have refused that kind of an open process.

Right from the very beginning we've dealt with a government that has had its own agenda. On the one hand, they were in favour of looking at rail-haul—

Interjections.

The Acting Speaker: Order, please. I would like to be able to hear the member. If you want to speak at other times, you will have the opportunity.

Mr Cousens: The government, when it took power, had a feeling it was willing to look at rail-haul. I have a letter from the Minister of the Environment, Ruth Grier, who was also minister responsible for the greater Toronto area. In a letter to Alan Tonks on January 22, 1991, she says, "...continue to investigate the conceptual design and valuation of the feasibility of rail haul." Right then, early in the year, when later on in that same year she brought in Bill 143, she was still in favour of looking at rail-haul, and suddenly along the way she had a change of heart, a change of mind. I don't know who got to her, but at least at that time she ceased to have an open mind to the option of rail-haul.

The day of October 24, 1991, is an ignominious day in this Legislature. It's the day the government brought in Bill 143 for first reading. So began the process we're into today. In December, we were about to break off for the Christmas break. We got together as opposition members and said, "Let's have public hearings." The government tried to fast-track the legislation. We stopped it and we got five weeks of public hearings.

We went through the hearing process and made a series of amendments. Not one of the amendments of members of the opposition was accepted by this government. They just had it in their mind that they had all the answers and refused to listen to anybody else. So we said, "Give us the list you're going to look at." They wouldn't give us the list until they had third reading and royal assent. Then we got the list of 57 sites and then began the summer of turmoil, the summer of anger, the summer of frustration.

The summer of 1992 will go down in history as one of the worst summers for the people in York, Durham and Peel. There were rallies, there were petitions, there were public meetings. There were garbage trucks circling Queen's Park. There were slowdowns on Highways 400 and 404. Our communities were drawn together in one common desire to fight this government and force it to rethink, to reconsider the whole position it had.

At all those meetings—we had meetings here at Queen's Park—not once did Bob Rae or Ruth Grier, the Premier or the minister, come out and speak to the people. That minister and the Premier were above and beyond meeting with the people of the province of

Ontario, and we found that in the public hearings as well. The minister would have had meetings with environmental groups and special interest groups but would not even meet with the mayor of Kirkland Lake, Larder Lake or Englehart.

On June 23 of that same year, I brought in Bill 73, a bill to repeal Bill 143, but we know what happened to that. It's the same as the history of many others.

Presentations were made. We've got loads of presentations: I mean, the stacks of words and files that have been tabled to the Interim Waste Authority. I don't have time to read them now, but we made them. We presented the views of the people of Ontario.

The regions fought back. The regions said, "Let's do something to fight it," so the region of York, taking leadership, has taken the Interim Waste Authority and this government to court on two issues, one on a constitutional right and another on the sections of the Interim Waste Authority act where the government refuses to look at alternatives. Thank goodness the region is at least fighting this government and doing something about it.

Finally, we come to November 1992: 57 is reduced to 15, and we get a sigh of relief from some communities, but still an undergirding sense that the communities are angry that the government is still looking at putting landfill sites in York, Durham and Peel and still will not look at rail-haul, still refuses to look at it. We continued as a community to make presentations, and we still continue to be stonewalled by the Interim Waste Authority. There were more presentations. I'm short of time to present them.

What are these criticisms we've got? We got to 15, and now in the last week or so, we have the final short list of three sites. The government still has refused to look at alternatives.

So what I'd like to ask is, what are the issues?

The first of all is that when Bob Rae became Premier, he gave us a wake-up call. His wake-up call was that he no longer had an open and fair government. In passing Bill 143, it brought in more change to the province of Ontario by disregarding all previous bills and legislation. Don't call it an environmental process. It's a very special process designed by this government to deal with the waste for the greater Toronto area that sets aside all other acts within the province of Ontario.

It also sets aside the promises made by the Premier. This was the question asked today by the member for Dufferin-Peel, when he said: "What was it that the Premier meant when he was at Whitevale, at Keele Valley and Britannia, when he said there would never be a landfill site on these locations, that there would never be an extension without a full environmental assessment?" What does that make what he said then and what he's doing today? It's called a broken promise. But if you want to go on and say the rest of it, it's not legislative language to call someone a liar in the Legislature.

He took broken promises further. He broke promises because they avoided the alternatives of rail-haul. They would not as a government look at Kirkland Lake. They would not as a government look at incineration. They

won't look at energy-from-waste alternatives. They won't talk to people, even though the people in Kirkland Lake voted 67% to at least have it looked at. They weren't saying they wanted it, necessarily, but at least have an environmental assessment. But no, not this government. It refused to listen.

This is one of the key things. This government has not listened. They set up a process known as the Interim Waste Authority, an arm's-length crown agency one step removed from the government, so when you try to find something that's going on with the Interim Waste Authority and what it's doing, we can't find it out from the Legislature. Though they're spending over \$30 million in the process, we still can't identify how that money's being spent: mountains of words, mountains of documents, a secret process; they come through with more words of what they mean. I spent part of the weekend trying to analyse and assess what it is, and I'll tell you, it's an excuse for someone to get a doctorate in something, but the fact is that they have not addressed the real issues.

This is a government that has not only not listened; it has made false accusations to people. They've set up Walter Pitman as chairman of the Interim Waste Authority, just as another way of separating themselves from the process.

It's not an open process; it's not a fair process. The government, in trying to stick Metro area with three huge megadumps, is wrong. It's wrong because they won't look at alternatives. As long as they are going to do that, I can guarantee you there is going to continue to be outrage, there's going to be anger, and the communities will continue to fight this government. The one thing that is on our side is that as we fight it, time elapses, and there will be a time, not too long from now, when this government will cease to be and we can have the whole thing corrected at that time.

Mr Jim Wiseman (Durham West): It's appropriate for me to rise in my place today to take part in this debate on Bill 143. There are few in this place who have had the enviable opportunity to become as familiar as I am with the issue of waste management. I find it quite ironic that so many members have risen to speak on this issue and that they clearly have no knowledge or have had a convenient lapse of memory.

I would be remiss in my duty if I did not point out to the Leader of the Opposition that she need not be concerned about the people of Whitevale. The time for her to have helped them was back in 1988 and 1989, when it was her government that was ramming a dump into that community without even an environmental assessment.

1720

Did you know when they were the government, they arbitrarily decided that they would put a dump into Whitevale and that they would do so without looking at any options? I don't mean the option of incineration or export to a willing host community. I mean they didn't even look at the alternative pieces of land. No options, no alternatives, Whitevale was it for the Liberals, and that is where the garbage was going, not only for Durham but of Metro and York.

I have been told that one of the opposition members met with the people of Whitevale when they were fighting the Liberals' P1 dump site. These people were told by that member to keep quiet about the dump for the sake of the sitting member at the time. They didn't keep quiet; they rid themselves of the Liberal government and rid themselves of P1. They sit in their places and find fault with Bill 143. How hypocritical.

And the Tories: They were the government when the existing site in my riding, Brock, was sited. They are the originators of the "Metro can dump on its neighbours" deal. If they were so conscientious, how come they didn't provide for a landfill site way back when they were the government? How did we end up with such a crisis? Could it be they believed out of sight, out of mind, out of my term of office?

I was elected in a community that was and is extremely cynical about politicians. I realize this is not particular to just my riding, but in my riding they have seen politicians put all kinds of negative infrastructure into one small community: nuclear plants, sewage treatment plants, dumps, dumps and more dumps, all for the benefit of the people who live outside of the community.

My constituents have seen governments throw countless families out of their homes as they expropriated 41,000 acres of land in Pickering some 20 years ago. Are these people cynical? You better believe it, and they should be. They have every right to be. How can they believe that they can trust any government after the Tories and the Liberals took over their community and left it in shambles?

Over these last two decades the community has tried to rebuild. They have tried to put back together their community that was left in pieces. The land that the IWA has chosen as its technically preferred site for Durham is on land that those members across the way, the Progressive Conservative members, expropriated some 20 years ago. In fact those members made the IWA's job so much easier by expropriating the land.

They stand in their places and they speak about being concerned about a fair process. I can only suggest they look back in the history books to the way this land was expropriated in the first place. Tell me how much consultation did you actually do when your agents were hassling people by day and by night to convince them to give up their homes, give up generations of heritage? They sit across from me with such concern about this process. What hypocrisy.

I did not want to resort to casting blame on others when there's a situation that we are all faced with today. I did not want to spend my time on partisanship, but there is a history involved with how we got to where we are today. The important part of that history is that we are not the ones who created the situation; we are the ones who have been put into the position of dealing with it. No matter what we do, it won't be a popular decision.

Interjections.

Mr Wiseman: The members from across the way sit and talk and heckle me as I make this speech about

repealing Bill 143. Do they really want to do that? Do the people of Ontario really want that? Do they really believe that this would be the best thing? Would this really be the best of all options? Do all the members of this House really believe, and I ask all of the members of this House, that their own ridings would not be opened up to take Metro's garbage? Remember Marmora, remember Plympton, remember Lambton, remember Dunnville, remember Pickering and remember that Keele Valley was going to be lifted with only an EPA.

Does the member for Dufferin-Peel really want Metro's garbage coming to his riding? He obviously does because he moved amendments under the Environmental Bill of Rights that would've taken away those citizens' rights to even challenge it.

The residents of my riding will not stand for it. My constituents have made it very clear that they will not be the host to Metro's garbage ever again.

Should every community across the province be subject to the threat of Metro's garbage? I say no. I know this is not acceptable. That is what it will mean if Bill 143 is killed. I want to repeat that. Every community in this province will be opened up to Metro's aggrandizement and garbage imperialism. Make no mistake about it. Not only that, but the tremendous strides that we have made with respect to the 3Rs would go with it.

Interjections.

Mr Wiseman: The members opposite must have forgotten that this bill is enabling legislation that will allow us to reach a target of at least 50% reduction by the year 2000. The 3Rs regulations that will be finalized in the near future are what will allow us to reach this target. The entire premise of this legislation was to maximize waste reduction and only find landfill for the waste after all three Rs have been exhausted. That is what we have here.

The reality is that no matter how large or small a landfill is, people still have a great fear of them, and quite rightly so. Metro has been so incompetent and mismanaged Brock West landfill site in my community for so many years that the rumours have spread. It's a miserable, awful dump. In my riding they know well what a horrible landfill site can be. They have Brock West and all the horrors that have gone with it.

What I find very disheartening is that, with all the discussion that has taken place over the past 20 years with respect to the 3Rs, I believe that it was all lipservice.

If the chair of the region of Durham could go on national television and say that the recycling program we have is just a waste of time and money and that we, the people of Ontario, would be better served if you would throw all those recyclables into a pit somewhere and bury them, I say to you, Mr Speaker, that is where the problem is. It is with politicians who don't understand the importance of a conservative approach. They don't understand that we cannot continue to use our natural resources and find a community that's suffering economically and suggest that we pay them to take our trash.

It is a philosophical thing, I admit it. That is what sets

me apart from these members across the House, those members who see the political expediency, crying, "Put it in someone else's riding, so long as it's not mine." I don't believe in that and I won't say it.

I remember when this waste management debate began in this House, when this government came into power and saw that it had to remove the exemption from P1. I remember well the debate that day. I remember the member for York Centre heckling loudly across this place, chanting, "Put it in Whitevale, put it in Whitevale." We all knew that it meant if it was in Whitevale, it was not in his riding.

This government went on to set up the IWA. Hated as it may be in some circles, it does one thing that I believe in strongly. It no longer allows politicians to pick where dump sites go. No longer can politicians decide what would be the most beneficial spot politically. For, if you remember and reflect, David Peterson picked P1 and said, "We will put it here," with no alternatives.

I know what those sites are like. The people of Pickering already have a number of those types of sites. The issue we're dealing with is a blatant example of political expediency, a perfect example of—

Mr Sorbara: Well, Ruth Grier picked York region. What are you talking about?

The Deputy Speaker (Mr Gilles E. Morin): Order.

Mr Sorbara: This is the worst misrepresentation I've ever heard in here.

The Deputy Speaker: The member for York Centre, please withdraw that remark.

Mr Sorbara: What I said was this was the worst misrepresentation I've ever heard in this House. I withdraw that. It was not the worst misrepresentation I've ever heard in this House, so I totally withdraw any suggestion that it's the worst misrepresentation.

1730

Interjections.

The Deputy Speaker: Order. The member for Durham West.

Mr Wiseman: I'm going to begin this paragraph again because it's a crucial paragraph. The issue we are dealing with is a blatant example of political expediency by the opposition parties, a perfect example of why we are in a crisis today. The issue that really needs to be discussed in this place—

Interjections.

The Deputy Speaker: Order. The member for Durham West, please take your seat.

Mr Sorbara: On a point of order, Mr Speaker: You will find that it's inappropriate to impute motives to other members in this House and that's exactly what my friend from Whitevale did in his remarks in the paragraph that he just read, imputing motives to us in the opposition in respect of this debate. I ask you to ask him to have that remark withdrawn.

The Deputy Speaker: Thank you. The member for Durham West, please continue your speech.

Mr Wiseman: The issues that really need to be discussed in this place are issues like: Who should own

these sites? Who would be most concerned about the surrounding community? Another important question is, where should the revenues go from these sites? Should they be allowed to continue to flow into the coffers of municipalities which have been allowed to get rich from garbage while thumbing their noses at recycling? These are the true questions if we are truly going to deal with the horrendous situations we are left with today.

All I can say is that this resolution is fraught with hypocrisy and that they are all hypocrites.

The Deputy Speaker: The member for Durham West, I don't accept that. Please withdraw this remark.

Mr Wiseman: Mr Speaker, if I was to withdraw that comment, I would add to what I think is the cynicism of the community. I will not withdraw it, Mr Speaker.

The Deputy Speaker: I didn't hear you. The member for Durham West, I ask you to withdraw this remark.

Interjections.

The Deputy Speaker: Order. The member for Durham West, I'm waiting patiently.

Mr Wiseman: Mr Speaker, to withdraw that statement would add to the hypocrisy that these two parties have inflicted on my community over 20 years.

The Deputy Speaker: You leave me no alternative. If you do not withdraw the remark, I will ask you to leave the House. Will you withdraw that remark?

Mr Wiseman: No, Mr Speaker.

The Deputy Speaker: I name you, the member for Durham West, Mr Wiseman.

Mr Wiseman left the chamber.

The Deputy Speaker: Further debate.

Mr Steven Offer (Mississauga North): I'm pleased to take part in this debate. Let me say at the outset that I will be speaking in favour of the motion put forward by the honourable member.

It's very difficult to decide how it is that one follows the speech that just took place, because if there was anything as ludicrous as what was put forward, if there was anything as error-ridden as what was put forward, I have not heard it. The member and the government members have gone on at length about something when it appears that they do not know of what they speak.

I would like to take a few moments to talk about my position and the party's position on this particular matter. I think we all have to recognize that the problem that has occurred is the introduction and the passage of Bill 143. Bill 143 was the piece of legislation put forward by the Rae government that created the Interim Waste Authority.

Interjections.

Mr Offer: Shall I sit, Mr Speaker, or what?

Mr George Mammoliti (Yorkview): Yes, sit down and stay there.

The Deputy Speaker: Order, the member for Yorkview, the member for Grey-Owen Sound and other members.

Mr Offer: It's really a pleasure to continue. We have a number of people in the gallery and I'm sure a number of people watching through the legislative channel, either

live or later on this evening, who will be very, very interested in what has gone on this afternoon.

As I said earlier, the problem we have is that we have a piece of legislation, Bill 143, that set in progress a process which just excludes people, which excludes communities and which excludes alternatives.

What we have heard today from both opposition parties is their concern with Bill 143 and what it's done to communities. What we've heard from the government side, and what I think the people of the province will be quite interested to see and hear, is that the government stands behind a piece of legislation which excludes community groups, which excludes alternatives, which excludes a full environmental assessment hearing, which is, without question, decision-making by politicians against what community wishes are.

The fact of the matter is that Bill 143, from beginning to end, should be repealed; that the Interim Waste Authority, from beginning to end, should be disbanded; that the process and the 50 million bucks which they have spent, if possible, should be returned to the taxpayers of this province. But the toll continues to grow.

My party has indicated quite regularly how opposed to the bill we are and have been, and indeed how this bill should be repealed, that the work of the Interim Waste Authority has as its basis a process which excludes people—

Hon Ms Churley: Do what you did: no EA at all.

Mr Offer: —and in fact an environmental assessment process which is non-existent.

The members on the government side are yapping about their concerns about Bill 143 and the environmental assessment hearing and what not. But the problem they have is that they're new to this.

I want to hear the members on the government side respond to this: Do you know that in 1990 the now Premier of the province said that there would be no expansion of existing sites, that there would be no creation of a new site, without a full environmental assessment hearing?

Mr Sorbara: Did Bob Rae say that?

Mr Offer: Bob Rae said that in 1990; that's correct.

In the area that I represent rests the Britannia landfill site. The Britannia landfill site is the site that looks after all of the region of Peel's garbage—all of it. The problem was that the Britannia landfill site was coming up to capacity; it was getting filled. A hearing was in process for an interim site. The government decided to stop that process. There was no hearing for the community groups. People in Mississauga and Brampton and Caledon were not given any opportunity to voice their position in this matter. Then the government not only stopped the hearing but expanded the Britannia landfill site. They expanded the Britannia landfill site without any hearing whatsoever.

Mr Sorbara: Here's a news bulletin for you.

Mr Offer: I was just given a news bulletin that CBC News has just reported, and I've just been given this information, that Julie Davis is going to resign her position as president of the NDP in Ontario.

Now to get back to the issue at hand. The fact of the matter is—

Mr Michael D. Harris (Nipissing): She was listening to the debate and couldn't take it any longer.

Mr James J. Bradley (St Catharines): It was over this issue.

The Deputy Speaker: Order. The member for Mississauga North, I would ask you to debate the issue.

Mr Offer: Certainly. We just don't know if Julie Davis's resignation of her position as president has anything to do with Bill 143.

The fact of the matter is, and I hope the members of the government will at least remember this, that your government expanded the Britannia landfill site and gave to the people of Mississauga no hearing whatsoever. Your Premier, in 1990, stated that there would be no expansion without a full environmental assessment. What do you say to that: truth or otherwise?

What we have here is Bill 143, which is a continuation of the government's continuing misrepresentation of facts. I think that's probably in order. It's not worse than "deception," so I didn't use that word. But the fact of the matter is that Bill 143 excludes alternatives. It says to those who might wish to hold themselves open from other municipalities as wanting to be the city that takes other's garbage that you can't even sit down at the table. It doesn't matter if it might be the best environmental solution; the government has politically decided that's not in the cards. Whether one be for or against incineration is not the issue. You're not even allowing people to talk about it. Tell me how that's in the best interests of the environment.

1740

What you have done through Bill 143, what you have done through the creation of the Interim Waste Authority, is made political decisions over the environment, and it is for that reason that the people in Peel, that the people in Durham, that the people in York, that the people across this province recognize that Bill 143 is a political piece of legislation. It has nothing to do with the environment. It has nothing to do with safeguarding the future of the province. It excludes alternatives. When you said to the people in and around Britannia landfill in 1991, "We are going to expand it and it doesn't matter what the impact is because you don't have a way to be part of a process," you set in stage the process that Bill 143 follows.

It's something that is going to be your legacy. Your legacy is going to be that you stood against the environment. Your legacy is going to be that you insulted the people of this province. Your legacy is going to be that you put above the environment political decisions.

Let me say that I know there are going to be those who say this is a debate that goes on in this Legislature and at times becomes political. I happen to have a press release from the Watershed Ecosystem Coalition. These are people who are not in this Legislature. These are caring, concerned individuals, much like those who are in the gallery today, and what did they say about the IWA process? What did they say about Bob Rae's political

fingering as to where dumps are going to go in the GTA?

They said in their press release of November 12, 1993: "The IWA process stops its study at political boundaries rather than at the natural ecosystem limits. Water, woodlots, habitat and environmentally sensitive areas extend beyond these 'lines on a map'." Could it be better said? It is the message that people are saying from community to community.

Don't do to the people in the greater Toronto area what you have done to the communities in and around the Britannia landfill site. Don't do to the communities that want to be viewed as a possible host of garbage what you are doing in Bill 143. Don't exclude the alternatives in the 1990s. Don't make decisions based on 1960s technology. The world, my friends, is moving much more rapidly than, apparently, your decision-making.

There are technologies in existence, there are alternatives in existence, there are ways in which we can deal with this problem, but it is clear that you do not deal with the problem on the basis of political decision-making. Everybody recognizes that except the government, which has in fact embraced political decision-making in Bill 143, and it doesn't work in the best interests of the environment.

What we hope to do is to hold down this process. What we would actually like you to do is to start thinking about the alternatives and for you to do that, but I don't think you're going to. But we have to recognize that if we cannot change the direction today, then we just might end up where we're headed. Where we're headed is a process which is faulty, a process that has failed, a process that excludes alternatives, a process that excludes communities. It is a process that says no to the technologies. It's like another world that the members of the government live in. Just today, November 22, the Premier of this province—

Mr Mammoliti: They had a Humpty Dumpty process. They sat on a wall. You're a bunch of Humpty Dumptys.

The Deputy Speaker: The member for Yorkview, order, please.

Mr Mammoliti: You've got a lot of nerve standing up.

The Deputy Speaker: I ask you to keep quiet, please.

Mr Offer: In the time remaining, I think it's important for the members of the government to understand one thing. Today the federal government announced, in cooperation with the province, the creation of green jobs. The province relied on the initiative of the federal government. The Premier was at this press conference, and what the Premier had said is that we are stimulating the green industry sector.

What are these things that are being created? There is going to be the establishment of a new technology centre to boost Ontario's rapidly growing environmental protection industry. The Premier took part in this, as well as, of course, the federal government, which is leading the way. What are these centres going to do? These services include assessing new technology and building partnerships with institutions, companies and economic development agencies.

Bill 143 says let us remain for ever in the 1960s. It doesn't matter that the technologies are continuing, that the technologies are growing, that yes, there are incinerators in this province—in fact, they are right now working in the region of Peel, which your government did not stop—that the technologies are not to be shunted aside but to be embraced, to be put forward in a full environmental assessment hearing. Let the environmental assessment hearing decide what is and is not a viable alternative.

Bill 143 takes that out of the environmental assessment hearing process. It says to all of those companies that can create jobs, that can create a new industry, that can create a new synergy, a new energy, that Bill 143 is all about the NDP government and Premier Bob Rae making political decisions about where outhouse technology should be in this province. It is clear that Bill 143 should be repealed, that the IWA should be disbanded, that groups should be included. We should get on with embracing new technologies and new alternatives and get away from the political decision-making that you are party to.

Mr Harris: I want to share a few thoughts and just make sure we're very clear. I would hope the government takes the opportunity we provided on this day to pause and reflect on just what's happening here and what a tragedy we think it is; not just for the environment, although indeed that's uppermost in our minds, but for real people, for real people who are being affected in their lives, in their homes, in the communities where they live and work; and as well for respect for politicians, respect for processes. As we're dealing with the environment and putting processes in place, the public of this province is indeed, as has been witnessed since 1985 by the Liberals, who circumvented the EA process altogether, and now the NDP, who want to limit the EA process and eliminate options—faith in that process is diminishing at the same time as faith in politicians is diminishing.

We've been through a series of three elections where politicians have committed to this and promised that: "No garbage here. Don't you worry. We'll care more than the others." We've now seen, perhaps at a time in the last eight and a half years from 1985, where the environmental assessment process may have needed amendment, may have needed some improvements—the improvements that people were talking about were, "Let's ignore it altogether or forget it," or, "Let's make the environmental assessment less onerous and eliminate options." Indeed, people felt and expected with a change of government in 1985 and again in 1990 that the improvements would be better for the environment, better for people, not worse.

1750

I think it's absolutely disgraceful what's happened for the sake of the environment and what's happened for the sake of the integrity of the political process and of politicians through a succession of Liberal and NDP governments. I think it is absolutely terrible, and if for the environment and for the sake of people, you won't think about that, maybe for the sake of your own hides you'll think about it, how politicians are viewed in this

province, every time you violate a sacred trust, not only a campaign trust but a sacred trust of involving people.

We have here today Lorna Jackson, the mayor of Vaughan, Wayne Arthurs, the mayor of Pickering, and other representatives of council. As they look and as I've had a little chat with them about the way this Legislature is treated, I want to tell you that the attitude in here throughout this debate, particularly by members of the current government, the perception that a member will get thrown out of here because he's mad at another member over inside, picayune name-calling but is not that interested in standing up and fighting for his constituents and fighting for those in his riding on the very issue of the dump—that tends to reinforce any more the lack of respect they have for people, for constituents, as to why we're elected and what we're here to fight for. I think it's absolutely disgraceful and I ask all members as they yell and bellyache and scream in their places, all those members of the NDP, that they think about that.

I want to take a few minutes to congratulate the member for Dufferin-Peel for bringing forward the motion today. Not only has he fought consistently, not only have we opposed what the government has done, we have put forward positive alternatives as to how this crisis that has been created by eight and half years of inaction by both Liberals and New Democrats—we've put forward positive proposals as to how it could be resolved. We've gone on the record. We've said, "Were we governing today, this is what we'd do." We think that's responsible, in spite of the fact that you have chosen to ignore all that.

The member for Markham has led the fight throughout the whole Vaughan region and as former critic on behalf of our caucus and indeed beyond on behalf of the people of Ontario; the member for Mississauga South, when the Liberals were in office, led the fight against the complete ignoring of the Environmental Assessment Act. It's hard to know which process was worse: forget the EAA and just order dumps wherever you want, or this government that essentially gutted the EA process and eliminated so many options that the net effect was the same.

The Liberals are quite correct in accusing the New Democrats of picking dump sites, using politicians, politically picking them; and the NDP is just as right in accusing the Liberals. But perhaps we'd better get beyond all the mistakes of the last eight and a half years and get back to solutions. So I congratulate the member for Dufferin-Peel, the member for Markham and the member for Mississauga South for consistently bringing forward positive solutions as to what we should do.

One of the other tragedies, and I would ask the government to reflect on this, I would ask the members of the NDP to reflect on this. There was—

Interjections.

The Deputy Speaker: Order. The member for Nipissing.

Mr Harris: We heard many, in a federal election, of the NDP, we heard many in the Liberal Party, we heard much opposition to some things that were happening federally, particularly in the last week or two of a

campaign. I can remember Pearson airport. They said: "Don't sign this deal. You're not going to be the government after the next election and there's something morally wrong with doing it."

I heard all the things you said and I'm asking you, don't sign this deal. You're not going to be the government after 1995, before any garbage goes to any three of the sites. Quit wasting the taxpayers' money proceeding down a path that is obviously not good for the environment, not good for people and not good for the integrity of putting a process in place that says politicians, premiers, cabinet ministers shouldn't pick where garbage goes; it should only be done in the best interests of the environment for today and for the long-term future of Ontarians. Why is it, then, that you will not explore these other options and these other alternatives?

Clearly, unless you're prepared to bring in other legislation to stomp on the process like the Liberals were going to do, unless you're going to that, none of these three megadump sites where they are not wanted, on prime agricultural farm land, are going to be open before you're out of office. So all that you're doing is wasting money, because we have made a firm commitment—

Mr Pat Hayes (Essex-Kent): On a point of order, Mr Speaker: I've listened to all sides here today and I know that the member for Durham West made the comment about hypocrites. I'm not going to do that at all, but I want to make my point. The point is that we have someone in this House from the Conservative Party talking about the process and environmental assessment—

The Deputy Speaker: This is on a point of order. I want to listen to a point of order.

Mr Hayes: May I make my point now, Mr Speaker? The point of order is that there's a similar situation in my riding. We talk about the process. Darcy McKeough sent a letter to the Minister of Environment telling the minister—

The Deputy Speaker: Please take your seat.

Interjections.

The Deputy Speaker: Order. Please take your seat. This is not a point of order.

Mr Harris: It's perhaps significant. I understand why Julie Davis packed it in. She was watching the debate today and she said, "That's it; I've had enough; I wash my hands of this party," and for that I congratulate her.

I don't know why you have to go back 25 years to find a mistake made by Progressive Conservatives; I'm sure you could find one more recent in history if you look hard, because undoubtedly we probably made some mistakes. The problem is, what about the future? What are we going to do about this?

We have said, number one, we first will repeal Bill 143. That's on the plate for the first 100 days, the first order of business. We now are pleased that six months after we said that, the Liberals said: "Us too. We'll do that too." We just hope that when they repeal it, they don't go back to their method of saying, "We'll pick the sites and abandon the process altogether."

Interjection: We won't have to worry about that.

Mr Harris: I don't think the people have to worry about that either.

Secondly, we're prepared to make sure that an expert panel, not politicians that will pick the sites, will have available to them all possible options and that those options will be selected on the basis of what's best for the environment: not what's just politically best, not based upon, "No dump here, no dump there," but based upon what is best for the environment.

We make those commitments and we think we speak with a great deal of confidence that that in fact will be in plenty enough time before we allow you to proceed with a disaster.

We've talked about willing hosts. You not only don't have any willing hosts, you don't even have willing donors. Metro Toronto doesn't want to put its garbage in Vaughan. They don't want to do it.

The Deputy Speaker: Order. The time has expired.

Mr Tilson has moved opposition day motion number 4. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1800 to 1805.

The Deputy Speaker: Will the members please take their seats. All those in favour of the motion will please rise one at a time.

Ayes

Arnott, Beer, Bradley, Caplan, Carr, Conway, Cousens, Cunningham, Curling, Daigeler, Eves, Grandmaitre, Harnick, Harris, Henderson, Johnson (Don Mills), Jordan, McGuinty, McLean, Miclash, Murdoch (Grey-Owen Sound), Murphy, Offer, O'Neill (Ottawa-Rideau), Poole, Runciman, Sola, Sorbara, Sterling, Stockwell, Tilson, Turnbull, Villeneuve, Wilson (Simcoe West).

The Deputy Speaker: All those opposed to the motion will please rise one at a time.

Nays

Abel, Akande, Allen, Bisson, Boyd, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Duignan, Farnan, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Kormos, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Morrow, Murdoch (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rizzo, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Wessinger, White, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wood, Ziemba.

The Deputy Speaker: The ayes are 34 and the nays are 62. I declare the motion lost.

It being past 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 1808.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency/Circonscription	Member/Député(e)	Party/Parti	Other responsibilities/Autres responsabilités
Algoma	Wildman, Hon/L'hon Bud	ND	Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones
Algoma-Manitoulin	Brown, Michael A.	L	
Beaches-Woodbine	Lankin, Hon/L'hon Frances	ND	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Brampton North/-Nord	McClelland, Carman	L	
Brampton South/-Sud	Callahan, Robert V.	L	
Brant-Haldimand	Eddy, Ron	L	
Brantford	Ward, Hon/L'hon Brad	ND	Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances
Bruce	Elston, Murray J.	L	
Burlington South/-Sud	Jackson, Cameron	PC	
Cambridge	Farnan, Hon/L'hon Mike	ND	Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation
Carleton	Sterling, Norman W.	PC	
Carleton East/-Est	Morin, Gilles E.	L	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la chambre et Président du Comité plénier de l'Assemblée législative
Chatham-Kent	Hope, Randy R.	ND	
Cochrane North/-Nord	Wood, Len	ND	
Cochrane South/-Sud	Bisson, Gilles	ND	
Cornwall	Cleary, John C.	L	
Don Mills	Johnson, David	PC	
Dovercourt	Silipo, Hon/L'hon Tony	ND	Minister of Community and Social Services / ministre des Services sociaux et communautaires
Downsview	Perruzza, Anthony	ND	
Dufferin-Peel	Tilson, David	PC	
Durham Centre/-Centre	White, Drummond	ND	
Durham East/-Est	Mills, Gord	ND	
Durham West/-Ouest	Wiseman, Jim	ND	
Durham-York	O'Connor, Larry	ND	
Eglinton	Poole, Dianne	L	
Elgin	North, Peter	Ind	
Essex-Kent	Hayes, Pat	ND	
Essex South/-Sud	Vacant		
Etobicoke-Humber	Henderson, D. James	L	
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth A.	ND	Minister of Health / ministre de la Santé
Etobicoke-Réxdale	Philip, Hon/L'hon Ed	ND	Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto
Etobicoke West/-Ouest	Stockwell, Chris	PC	
Fort William	McLeod, Lyn	L	Leader of the Opposition / chef de l'opposition
Fort York	Marchese, Rosario	ND	
Frontenac-Addington	Wilson, Hon/L'hon Fred	ND	Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement
Grey-Owen Sound	Murdoch, Bill	PC	
Guelph	Fletcher, Derek	ND	
Halton Centre/-Centre	Sullivan, Barbara	L	
Halton North/-Nord	Duignan, Noel	ND	
Hamilton Centre/-Centre	Christopherson, Hon/L'hon David	ND	Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Hamilton East/-Est	Mackenzie, Hon/L'hon Bob	ND	Minister of Labour / ministre du Travail

Constituency/Circonscription	Member/Député(e)	Party/Parti	Other responsibilities/Autres responsabilités
Hamilton Mountain	Charlton, Hon/L'hon Brian	ND	Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
Hamilton West/-Ouest	Allen, Hon/L'hon Richard	ND	Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Hastings-Peterborough	Buchanan, Hon/L'hon Elmer	ND	Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
High Park-Swansea	Ziemba, Hon/L'hon Elaine	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Huron	Klopp, Paul	ND	
Kenora	Miclash, Frank	L	
Kingston and The Islands / Kingston et Les Îles	Wilson, Gary	ND	
Kitchener	Ferguson, Will	Ind	
Kitchener-Wilmot	Cooper, Mike	ND	
Lake Nipigon/Lac-Nipigon	Pouliot, Hon/L'hon Gilles	ND	Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
Lambton	MacKinnon, Ellen	ND	
Lanark-Renfrew	Jordan, W. Leo	PC	
Lawrence	Cordiano, Joseph	L	
Leeds-Grenville	Runciman, Robert W.	PC	
Lincoln	Hansen, Ron	ND	
London Centre/-Centre	Boyd, Hon/L'hon Marion	ND	Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
London North/-Nord	Cunningham, Dianne	PC	
London South/-Sud	Winninger, David	ND	
Markham	Cousens, W. Donald	PC	
Middlesex	Mathyssen, Irene	ND	
Mississauga East/-Est	Sola, John	Ind	
Mississauga North/-Nord	Offer, Steven	L	
Mississauga South/-Sud	Marland, Margaret	PC	
Mississauga West/-Ouest	Mahoney, Steven W.	L	
Muskoka-Georgian Bay	Waters, Daniel	ND	
Nepean	Daigeler, Hans	L	
Niagara Falls	Harrington, Margaret H.	ND	
Niagara South/-Sud	Coppen, Hon/L'hon Shirley	ND	Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs
Nickel Belt	Laughren, Hon/L'hon Floyd	ND	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Nipissing	Harris, Michael	PC	
Norfolk	Jamison, Norm	ND	
Northumberland	Fawcett, Joan M.	L	
Oakville South/-Sud	Carr, Gary	PC	
Oakwood	Rizzo, Tony	ND	
Oriole	Caplan, Elinor	L	
Oshawa	Pilkey, Hon/L'hon Allan	ND	Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales
Ottawa Centre/-Centre	Gigantes, Hon/L'hon Evelyn	ND	Minister of Housing / ministre du Logement
Ottawa East/-Est	Grandmaître, Bernard C.	L	
Ottawa-Rideau	O'Neill, Yvonne	L	
Ottawa South/-Sud	McGuinty, Dalton J.P.	L	
Ottawa West/-Ouest	Chiarelli, Robert	L	
Oxford	Sutherland, Kimble	ND	
Parkdale	Ruprecht, Tony	L	
Parry Sound	Eves, Ernie	PC	
Perth	Haslam, Karen	ND	
Peterborough	Carter, Jenny	ND	

Constituency/Circonscription	Member/Député(e)	Party/Parti	Other responsibilities/Autres responsabilités
Port Arthur	Wark-Martyn, Hon/L'hon Shelley	ND	Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé
Prescott and Russell / Prescott et Russell	Poirier, Jean	L	
Prince Edward- Lennox-South Hastings/ Prince Edward-Lennox- Hastings-Sud	Johnson, Paul R.	ND	
Quinte	O'Neil, Hugh P.	L	Minister of Natural Resources / ministre des Richesses naturelles
Rainy River	Hampton, Hon/L'hon Howard	ND	
Renfrew North/-Nord	Conway, Sean G.	L	Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Riverdale	Churley, Hon/L'hon Marilyn	ND	
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Noble	PC	Speaker / Président
St Andrew-St Patrick	Akande, Zanana	ND	
St Catharines	Bradley, James J.	L	
St Catharines-Brock	Haeck, Christel	ND	
St George-St David	Murphy, Tim	L	
Sarnia	Huget, Bob	ND	
Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony	ND	
Scarborough-Agincourt	Phillips, Gerry	L	
Scarborough Centre/-Centre	Owens, Stephen	ND	
Scarborough East/-Est	Frankford, Robert	ND	
Scarborough-Ellesmere	Warner, Hon/L'hon David	ND	Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Scarborough North/-Nord	Curling, Alvin	L	
Scarborough West/-Ouest	Swarbrick, Hon/L'hon Anne	ND	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Simcoe Centre/-Centre	Wessinger, Paul	ND	
Simcoe East/-Est	McLean, Allan K.	PC	
Simcoe West/-Ouest	Wilson, Jim	PC	
Sudbury	Murdock, Sharon	ND	
Sudbury East/-Est	Martel, Hon/L'hon Shelley	ND	
Timiskaming	Ramsay, David	L	
Victoria-Haliburton	Vacant		
Waterloo North/-Nord	Witmer, Elizabeth	PC	
Welland-Thorold	Kormos, Peter	ND	
Wellington	Arnott, Ted	PC	Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main- d'œuvre
Wentworth East/-Est	Morrow, Mark	ND	
Wentworth North/-Nord	Abel, Donald	ND	
Willowdale	Harnick, Charles	PC	
Wilson Heights	Kwinter, Monte	L	
Windsor-Riverside	Cooke, Hon/L'hon David	ND	
Windsor-Sandwich	Dadamo, George	ND	
Windsor-Walkerville	Lessard, Wayne	ND	
York Centre/-Centre	Sorbara, Gregory S.	L	
York East/-Est	Malkowski, Gary	ND	
York Mills	Turnbull, David	PC	Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
York North/-Nord	Beer, Charles	L	
York South/-Sud	Rae, Hon/L'hon Bob	ND	
Yorkview	Mammoliti, George	ND	

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Tuesday 23 November 1993

Journal des débats (Hansard)

Mardi 23 novembre 1993



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Lists of members

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Listes des député(e)s

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministérielles paraît tous les lundis suivants.

Tuesday 23 November 1993

The House met at 1331.

Prayers.

MEMBERS' STATEMENTS

FERRY SERVICE FEES

Mr Hans Daigeler (Nepean): After enormous public outcry, the NDP government finally agreed to do a certain impact study, even though a limited one, of ferry fees in eastern Ontario.

Lawyer Brooke McNabb was appointed to meet with the public and prepare a report for the minister. I understand that Mr McNabb has now submitted his views to Mr Pouliot. However, nothing has been made public by the ministry as yet.

I call on the Minister of Transportation to release Mr McNabb's report at once, so the people in eastern Ontario can judge for themselves whether this report does indeed reflect what was said at the hearings and, more important, what recommendations he's making to the Minister of Transportation and to the government.

The ferry fee issue is a very important matter that won't go away by keeping it under wraps, Minister. You made the mistake once already of proceeding without consulting with the public and without letting them know. Don't repeat the same mistake twice.

Minister, I call on you to release Mr Brooke McNabb's report at once and to let the people of eastern Ontario study the matter and discuss it, so that they can continue to have an impact and an input into the decisions of the government.

AGRICULTURAL INDUSTRY

Mr Noble Villeneuve (S-D-G & East Grenville): Delegates to the Ontario Federation of Agriculture's annual meeting, presently in progress, have been discussing a range of agricultural issues. There is much to consider and of concern. Whereas agriculture was ignored by the Peterson government, it has been under outright attack by the NDP.

There is much discontent and disappointment. Tonight, Mike Harris, the leader of the Progressive Conservative caucus, and my colleagues will have the opportunity to hear directly from the OFA delegates.

The Ontario agricultural budget is less than it was in 1990. Had all ministries been subject to proportional cuts, we would have no budget deficit right now. The NDP has frozen farm property tax assistance, which the Liberals actually tried to dismantle. Government red tape, taxes and procedures are choking our food producers. Workers' compensation rates are up.

Bill 91 will further squeeze low farm incomes. Small farm processors will automate to create fewer jobs because it doesn't pay to hire. The Minister of Labour was told in no uncertain terms at the OFA cabinet panel last night what it thought of Bill 91.

Government initiatives are now an incentive to smuggle tobacco. Environmentally safe energy from waste is not acceptable to this government, but the loss

of farm land to dumps is. There is precious little sense left to this government. It's a serious situation. Food producers need support.

VIOLENCE AGAINST WOMEN

Mrs Karen Haslam (Perth): Continuing on from the beginning of telling people about some of the programs we had—I started a couple of weeks ago—I'd like to continue with some of the programs about violence against women.

The NDP government supports zero tolerance of violence against women, and since taking office the government has supported this commitment with significant funding and program support. Our initiatives now span government.

A women's centre in a community may be the first place where a battered woman feels safe enough to disclose her situation. The NDP government has begun stable, annual core funding of \$50,000 for each of 22 women's centres across Ontario, more than \$1 million total, so they can operate without fear of closing.

The NDP government made the \$30 million a year wife assault prevention initiative a permanent program. In total, the NDP government spends almost \$75 million a year to prevent wife assault and over \$20 million to prevent sexual assault.

Some examples of NDP government spending to prevent wife and sexual assault:

Transition houses and family resource centres provide emergency residential services for assaulted women and their children. There are 99 such facilities across Ontario.

Community agencies provide counselling for these women and for male batterers. Funding is available to make services more accessible to aboriginal, immigrant and racial minority women and women with disabilities.

I'll continue on my next time up.

BRUCE RUTLEDGE

Mr John C. Cleary (Cornwall): This past Saturday evening I attended a retirement party for Bruce Rutledge. Perhaps the Minister of Agriculture and Food would be aware of his retirement. Mr Rutledge was one of those dairy inspectors whose employment was terminated as a result of the minister's decision to eliminate onsite inspection.

The event was filled with mixed emotions. While all present were pleased to offer their congratulations to Mr Rutledge for 30 years of distinguished service to the farm community, we also knew that this man should not have been forced into retirement at such an early age by the Agriculture minister.

As well, during the event, which was well attended by persons involved in the dairy industry, it was obvious that not all is well on the farm, so to speak, on the matter of reduced inspections.

Farmers are upset that the minister did not consult with them before making the cuts, and they still feel uninformed about the impact. Many do not even know how

many inspectors are truly left to help them. They are also waiting for the minister to follow through with an earlier promise to add one or two inspectors in eastern Ontario.

PHILIP DORVAL

Mrs Margaret Marland (Mississauga South): First-class firefighter Philip Dorval, a 21-year veteran of Mississauga's fire and emergency services division, is one of seven Ontario firefighters who were decorated this year with the Ontario Medal for Firefighters Bravery.

It was an honour for me to attend last week's ceremony at Queen's Park where firefighter Dorval received his medal from Lieutenant Governor Henry Jackman. On behalf of the residents of Mississauga, I am happy to congratulate firefighter Dorval and express our admiration and gratitude for his service to our community.

Firefighter Dorval received the Ontario Medal for Firefighters Bravery following his heroic rescue of a woman and her two children from a blazing house in the middle of the night. After he rescued the mother and the baby, the front of the house was completely engulfed in flames. Even so, firefighter Dorval climbed in another window where he found an unconscious four-year-old girl. Tragically, the child later died in hospital.

Firefighter Dorval undertook a daring rescue without concern for his own safety. However, this modest man refuses to take credit for his heroism, saying it was teamwork and all in the line of duty.

Events like the rescue for which firefighter Dorval received his bravery medal remind us that it takes a very special person to be a firefighter. At this time, I would also like to thank all of the other Mississauga firefighters who risk their lives in order to save ours and are always there when needed.

1340

WHITBY SKILLS TRAINING CENTRE

Mr Gordon Mills (Durham East): Last week I had the honour and the privilege of attending the opening of the skills development centre in Whitby, an affiliate of Durham College.

To those who spread doom and gloom about this government, they should have been there that day to see the enthusiasm on those people's faces and, having spoken to them, to hear the joy that they expounded as they go forward in a new career.

I had the opportunity to speak with the president, Gary Polonsky, during that occasion and I said to him that the problem in Durham East, in my riding, is that an awful lot of people who want to go to university can't afford to go because it costs too much to travel and it costs too much for the accommodation. Mr Polonsky said to me, "We can make Durham College a university without it costing the government a penny."

Today I stand in my place and appeal to my colleagues in cabinet: Let's make Durham College a university. Let's do it. It's not going to cost any money. The people I represent will have the opportunity of getting a university education without the horrible expense of travelling to a university somewhere else, the cost of renting accommodation and being away from their families. This gives ordinary people in my riding a chance to get a university

education. When my career is over here, I look forward to doing that in the Durham university myself.

HATS FOR HUNTERS

Mrs Joan M. Fawcett (Northumberland): I want to bring to the attention of the members of this Legislative Assembly, and particularly the Minister of Natural Resources, a practice that appears to go against all the principles of job creation that are espoused here.

I have here in my hand a hat that is given to Ontario hunters in exchange for bear, moose and deer hides which are used by our native leather goods industry. That in itself is a good practice and one I am sure all members support. However, the hats that our hunters are given in exchange for these hides are made in China. That's right: China.

This has incensed a great number of hunters in Ontario. In fact, Paul Weese, a concerned hunter from Northumberland, was outraged at the thought of an Ontario government buying hats made in China to give to Ontario hunters. He rightfully asks: How does this create jobs in Ontario and how many jobs? Is there not anybody in Ontario, or even Canada for that matter, who can supply these hats? The Minister of Natural Resources has cut back drastically on staff, whether it be conservation officers or ministry field staff. How can he justify these cuts to Ontario residents and purchase hats from China, subsidizing workers there?

So, with hat in hand, I would ask the minister to stop this practice now and find a made-in-Ontario solution.

CONSIDERATION OF BILL 47

Mr David Turnbull (York Mills): Last week the NDP shut down the debate on Bill 47, the photo-radar bill, and instituted a flawed process of committee hearings. This Legislature is being forced to vote on this bill today and the committee is being forced to deal with the technical review of the bill in a mere two days.

Given the barrage of letters and phone calls that I know the Premier, the Minister of Transportation and the Attorney General have received, I find it offensive that this government is refusing to allow public input. I urge the government committee members to support my motion for meaningful public hearings. A reluctance to allow public input demonstrates that this government will stop at nothing to impose its latest money-sucking scheme on Ontario's taxpayers.

If the primary selling point of photo-radar is not its potential for revenue generation, then the NDP can take the time to address the public's concerns in meaningful public hearings rather than ramming this legislation through in the face of overwhelming public opposition.

Failure to hold these hearings sends a clear message to all Ontarians that this government does not care about safety but is motivated first and foremost by the pursuit of cold, hard cash.

SOCIAL CONTRACT

Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings): Decisions made by this government, decisions that will in whole or in part affect the people of the province of Ontario, are made with the greatest amount of consideration to all of the facts and information

available. The short-term and long-term effects of any particular piece of legislation are also considered.

Bill 48, better known as the Social Contract Act, 1993, is a case in point. Bill 48, An Act to encourage negotiated settlements in the public sector to preserve jobs and services while managing reductions in expenditures and to provide for certain matters related to the Government's expenditure reduction program, was not embraced by the public sector unions, to say the least.

Given the serious financial circumstances that the province has found itself in because of a worldwide recession and ensuing private sector unemployment and related revenue shortfalls, it became absolutely necessary to manage expenditures, the largest part of which are salaries and benefits of employees in the broader public service. The Minister of Finance asked to negotiate a \$2-billion saving not out of desire but because of necessity.

The very difficult decisions made by the Premier and the Finance minister as they grapple with the province's finances to find the right balance from time to time will not be popular. The intent of this bill is to save jobs, not eliminate them, and to do that by negotiating a reduction in salaries and by other cost-saving measures.

In the short term, it has been unpopular to many of those affected. In the long term, it will be beneficial, not only to those affected, as it reduces the chances of layoffs, but it ensures that the services so much in demand during these difficult times are maintained now and in the future.

The Speaker (Hon David Warner): The member's time has expired.

SPECIAL REPORT, OMBUDSMAN

The Speaker (Hon David Warner): I beg to inform the House I have today laid upon the table a special report of the Ombudsman on the cases of Mr E.F. and Mr S.M. I would invite all members to welcome the officer of the House, the Ombudsman, who is seated in the Speaker's gallery, here to present her report.

STATEMENTS BY THE MINISTRY AND RESPONSES

TENANT PROTECTION

PROTECTION DU LOCATAIRE

Hon Evelyn Gigantes (Minister of Housing): I am pleased to introduce today a residents' rights bill to extend tenant protection to residents in unregulated care homes and apartments in houses.

Right now, not every tenant has the same rights under our laws. Some tenants have protection, others do not.

Il y a des milliers de locataires qui, jusqu'à présent, n'ont pas eu droit à la protection assurée par les lois de cette province. Dans de nombreux cas, ils ont souffert inutilement en raison de ce manque de protection. Ce groupe de locataires comprend les résidents des maisons de soins non réglementées, des maisons qui offrent un logement locatif et toute une gamme de services de soins et de services de santé, et les locataires qui vivent dans des appartements aménagés dans les maisons privées et qui sont présentement illégaux dans la plupart des régions de l'Ontario.

There are thousands of tenants who up until this point have been denied the protection of the laws of this province. In many cases, they've suffered needlessly because of this lack of protection. This group of tenants includes the residents of unregulated care homes, homes which provide rental accommodation and a range of care and health services, and tenants living in apartments in houses, which are currently illegal in most parts of Ontario.

Today, I am introducing legislative amendments to a number of acts to end this inequity. Our government believes that all tenants should enjoy equal protection and security under the law.

Most of these amendments reflect the key recommendations of the Lightman report, which was an inquiry into unregulated care homes conducted by Dr Ernie Lightman. The results were outlined in his excellent report, A Community of Interests. I'd like to take a moment to introduce Dr Lightman to members of the Legislature. He's accompanied by his very proud daughter, Naomi. Would they stand.

1350

Care homes are not licensed nursing homes, nor are they formally registered or regulated as licensed nursing homes. Right now there are at least 47,000 adults living in these homes across Ontario, mainly frail, elderly people, as well as former psychiatric patients and people with developmental difficulties.

In his investigation, Dr Lightman found that care home residents are very vulnerable to abuse ranging from arbitrary eviction, unsafe living conditions and inadequate care to lack of privacy, sexual abuse, and other problems relating to health and personal safety.

Because they provide an element of care in addition to providing rental accommodation, most care homes have not been covered under the Rent Control Act or the Landlord and Tenant Act. With the amendments I'm introducing today, residents of care homes in Ontario will have the full protection of both these acts. First, residents will have a security of tenure under the Landlord and Tenant Act. In other words, no more people will be thrown out on to the street with only a bag of their belongings.

The Rent Control Act will apply, as of first reading today, to the portion of monthly charges which covers accommodation. The amount paid for care, services and meals will not be covered by rent control because this varies so widely from home to home, resident to resident and, from time to time, for individual residents.

Under rent control, care home operators will also be required to register their charges for care services, the rents charged and the number of occupants in each unit with the rent registry. This will increase the power of municipal and provincial inspectors to ensure that care homes meet provincial safety and maintenance standards and to improve overall living conditions for residents.

In addition, the Rent Control Act will now require that operators provide tenants with a detailed information package outlining what care services are being provided, at what price, and when increases will occur, and describ-

ing staff qualifications. A requirement of 90 days' prior notice for any increase in care service costs will also be enforced through the Rent Control Act.

While care costs per se will not be regulated, the Rent Control Act will provide significant consumer protection and empowerment in this area. We will also continue to monitor care service costs. If we see them rising dramatically, the act will allow us to move to regulate them through a change in regulations under the act.

Our proposed amendments to the Rental Housing Protection Act will prevent the demolition or conversion of a care home without the approval of the municipality.

These are perhaps the most important of the reforms recommended by Dr Lightman, changes which tenant advocates and organizations representing senior citizens and mental health consumers are vigorously supporting. We're proud to be putting them into effect with the amendments I'm proposing today.

I'd like once again to express my thanks to Dr Lightman for the excellent work he has done in this policy area.

Tenants living in apartments in houses are vulnerable in another sense. More than 100,000 of these apartments are now illegal due to zoning bylaws. These bylaws keep tenants from exercising their rights to a safe, secure unit. They know that if they complain about poor maintenance or a safety issue they run the risk of being evicted from their illegal apartment. In our bill to protect residents' rights, we're now also including the amendments to the Planning Act and the Municipal Act that were previously announced as Bill 90. Since those amendments will be dealt with in this bill, I am now withdrawing Bill 90.

As I've told the House before, allowing apartments in houses will enable home owners to create one apartment in their house, provided it meets reasonable health and safety standards.

These apartments will generate jobs for construction and renovation workers and give potential home buyers the income boost they may need to become a home owner.

We know there's a need for apartments in houses. That's why so many of them exist all over the province. And, as last year's Environics polls showed, more than 70% of residents of Ontario are in favour of allowing apartments in houses.

This legislation will also improve municipal investigation and enforcement powers by making it easier for municipalities to get a search warrant to investigate suspected property standards violations.

Interested municipalities will also be given the flexibility to enter into long-term agreements with home owners who want to install garden suites, or what we'd call normally granny flats, on their property. These are small, portable, self-contained units, usually installed in a back or a side yard. Garden suites are a solution for many seniors who, as they grow older, find it difficult for various reasons to cope with a large home. They can also help people with disabilities live independently with a little support close by.

This initiative reflects a lot of public input. The

ministries of Municipal Affairs and Housing received over 1,300 briefs and staff from the two ministries met with more than 60 groups. Both ministers also met with many councillors across Ontario. We listened to what they were telling us and we have made some changes to the draft legislation.

In closing, I'd like to underline the valuable contribution of Dr Ernie Lightman, who has fought long and hard for the changes being introduced in this legislation, and I'd like to thank him for his dedication and his excellent work.

I'd also like to thank community organizations, such as the Ontario Coalition of Senior Citizens' Organizations, the Advocacy Resource Centre for the Handicapped, the Coalition for the Protection of Roomers and Boarders and the Inclusive Neighbourhoods Campaign, for their hard work. Representatives of these organizations have also joined us here today and I'd ask them to stand and be recognized by the House.

These people continued to expose the plight of people whose living situations are the reason for these amendments, and I'd like to thank them for their compassion and their caring. This bill is about residents' rights. These are the people who championed those rights, and all of Ontario owes them a debt of gratitude.

In closing, I would like to express in advance my regret at the fact that earlier today, when there was a briefing held including members of the groups I have introduced to you, operators of care homes were not invited, nor were they specially invited to attend an earlier press conference. When I learned of this, after the press conference this morning, I asked my staff to contact representatives of those care homes and we are arranging a special briefing for them on this legislation.

Mr Joseph Cordiano (Lawrence): Let me first of all start off my comments by also paying tribute to Dr Lightman and his excellent work and the report he prepared for the Legislature and the minister; also to thank the community organizations that assisted the minister.

Dr Lightman is aware of some of the concerns that were expressed by our party around the recommendations he made. I'm going to elaborate on those in a minute.

But let me just say that what concerns me first of all is the effort of the government to lump legislation together in omnibus legislation. It makes me wonder if the government's engaged in a strategy that looks like a hurry-up offence: I mean, get everything approved, and it all comes at the end of a legislative session. It doesn't give us an opportunity to examine legislation in an appropriate, timely fashion. I just say this to the minister and to the government as a whole: We need the proper amount of time to go through and examine this legislation in careful detail. There are a number of aspects of this that obviously need to be examined more fully.

1400

But with regard to the section of the bill that deals with Dr Lightman's recommendations, let me say that we have concerns regarding the care component and how that is dealt with under the Landlord and Tenant Act. It is our

opinion that having a care component and forcing this to be registered with the rent registry forces staff whose expertise is with things like maintenance costs to deal with things like proper care, and that sort of thing is not compatible with their level of expertise. They're going to have to make decisions about care, whether care is being adequately provided.

In fact, why is it that the ministry needs to know what operators are charging for care, if it doesn't enter into rent review, the sort of thing that's going to be examined at the appeal stage? Why are they planning to do this with information and how is it relevant to the accommodation component? How does one fit with the other if it's not essential that the other be brought in under this entire regulatory process?

By applying the Landlord and Tenant Act and the Rent Control Act, you're using a one-size-fits-all right across the entire province and right across a spectrum of housing that's out there. It doesn't take into consideration what individuals' choice might be regarding the kind of accommodation they now have. It just simply does away with that completely.

The other real concern we have is around emergency provisions. If there is an emergency, what access rights do care givers entering into a unit have? We understand that there's some nebulous, vague reference to receiving permission beforehand in writing, but that's not spelled out very clearly. I think care givers might be hesitant and reluctant to enter into a unit where there is an emergency. That is something we need to do further work on, and I think the minister has to more clearly spell out where that entitlement is automatic. That's not clearly spelled out in the statement she made today.

The other thing that really concerns me is the fact that the legislation takes effect on first reading, introduction of the bill. That is very draconian. The provisions of the bill take effect as of first reading. I think that is a very difficult thing to comprehend and to accept. For most people it's very draconian, it's not democratic. It's even worse than the way Bill 4 was handled previously by the minister. Bill 4 was at least passed first and then took retroactive effect. This is not the case with the bill that she's introduced today.

I have a number of concerns with regard to Bill 90. As we've stated before, we think this could have been accomplished in the way that we had set out our initiatives in the previous administration, our policy statement which affected municipalities in carrying out intensification. That was our policy under the previous Liberal administration, which certainly went a long way to accommodating the accessory apartments. It now looks to be simply a de facto situation where there is no room for municipalities to have any flexibility around that.

These are the concerns that we submit to the minister. I will be looking forward to a further examination of the legislation when we're given an opportunity in committee.

Mrs Margaret Marland (Mississauga South): In rising to respond to the statement by the Minister of Housing, I would just like to say that I've never before been briefed by staff in the morning and been asked to

return my notes to them. There is such a paranoia in this government that they wouldn't allow me to keep the notes they had just briefed me on.

We're very concerned, and actually I'm sure Dr Lightman is also concerned. I think someone of Dr Lightman's qualifications, being the knowledgeable professional he is, must be very disappointed today. Everybody wants his report to be addressed in legislation and he's now been connected with a bill that nobody in this province wanted.

This is, in our opinion, sleazy blackmail. It's sleazy to put together Bill 90, one of the government's more controversial bills, which has met with the disapproval of most municipalities and many ratepayers' associations, and the new legislation for regulating care homes.

People who have very valid concerns about Bill 90 but wish to support the new section of the bill concerning care homes are now between a rock and a hard place. Why put municipalities and residents in the position of having to oppose regulatory changes for care homes in order to oppose, as a right, accessory apartments? Why could we not have had two separate bills?

The PC party has consistently supported province-wide retirement home legislation. Several of my colleagues, including my leader, Mike Harris, have repeatedly raised this matter in the Legislature over the years. Successive Liberal and NDP governments have ignored the plight of retirement home residents for too long. I am perplexed as to why it has taken so long for the province to take steps to protect residents of care homes.

NDP members expressed great concern with respect to this matter while in opposition, and the Agenda for People promised to establish "in law quality of care standards for Ontario's rest and retirement homes." Today, more than three years after forming the government and one and a half years after the release of the Lightman report, we finally have some action.

In April 1989, the Liberal government received a report from its Advisory Committee on Rest Homes urging regulation of retirement homes. The Liberals chose to ignore the report, despite the fact that the year the report was released we heard of seniors at the Cross Wind Lodge in St Catharines being underfed and subject to physical abuse. We heard of a resident at Murphy Manor in Sarnia being found covered in faeces and with maggots in her shoes, and, finally, of some residents in Toronto being regularly fed hot dogs for lunch.

With respect to lumping rest and retirement homes under the Rent Control Act, I also foresee problems. In short, I am pleased that the government has the intention to proceed with certain elements involving the protection of residents, but I'm fearful that care may be compromised under rent control. While tenure will be regulated, standards of care will not.

With the exception, their regulations could later place increases in care rates under rent control. This is of concern for how do the wizards, the rent control officers, become experts on appropriate charges for health care? Another area of concern for operators is the non-payment for care services is no longer grounds for eviction.

The president of the Ontario Long Term Residential Care Association has said, "Some people need to be monitored throughout the evening or night, but housing legislation could prevent staff from checking on them." We are concerned about the fact that this government, which didn't have the courage to bring back its Bill 90 for debate on second reading in this House, has still not addressed our concerns about inadequate increases in assessment rates for homes with a second unit and inadequate infrastructure. Accessory apartments will not be licensed and will not be limited to owner-occupied homes.

The municipalities of this province, which are responsible for the building permits for renovations to increase units in single-family homes, which include everything from a single lot to a semi to row housing, still have the same concerns they had before.

The government has now descended to new depths in manipulation and is not calling these bills what they really are. It's an omnibus bill and we object to it.

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ORAL QUESTIONS TEACHERS' DISPUTES

Mrs Lyn McLeod (Leader of the Opposition): My question is for the Minister of Education. We are seeing this fall across the province an unprecedented number of teachers' strikes and job actions that directly affect students.

Teachers in Windsor public schools have now been out for some 12 days. Teachers in east Parry Sound have now been out for 31 days. In Lambton county, teachers have been legislated back to work.

You will be aware, Minister, that there are still 28 boards of education where no agreement has been reached for the 1992-93 school year and that there are 153 more agreements to be negotiated for the coming year. There is a very real concern that we are going to see more and more strikes across this province and that more and more students are going to be hurt.

Minister, I ask what you are going to do to ensure that we will not see hundreds and hundreds more school days lost over the next year.

Hon David S. Cooke (Minister of Education and Training): I wouldn't want the Leader of the Opposition to exaggerate the circumstances currently under way in the province, and I certainly won't understate the difficulties that exist in negotiations across the province, but I think what we need to do is to reinforce the fact that these solutions and negotiations have to be successful at the local level. I don't think it solves the problem that the leader has referred to by saying that there is some magical provincial solution to negotiations that are taking place at the local level.

If the leader of the opposition party has a magical solution, is suggesting changes in legislation, then I'm all ears. I'd like to hear what her suggestion is. That would be very useful and I'd be more than willing to listen to her positive suggestions that might come forward finally today.

Mrs McLeod: I don't believe I am in any way

exaggerating the kind of concern that exists in boards where they are currently experiencing strike action and the effect that has on students, or the concern that indeed we are going to see more and more strikes across the province because of the unprecedented situation that has been created by your government's legislation.

Minister, there is no doubt at all that the social contract legislation has fundamentally altered collective bargaining for school boards and their teachers. Your legislation imposed a whole series of terms and conditions on school boards, and there is no one who knows how the legislation is supposed to work. No one understands how the social contract legislation fits with existing collective agreements or with the collective bargaining act for teachers, or, for that matter, with the Education Act. The result is that teachers and trustees have been pitted against each other as both try to struggle with understanding the chaos and the confusion you have now created.

Will you not admit that it is indeed your social contract that has created this situation and will you accept your responsibility for creating the chaos so that you will now act to start to sort it out?

Hon Mr Cooke: The fact of the matter is that even the teachers' unions are not suggesting that the social contract legislation is responsible for some of the labour disputes that are taking place in this province. The Leader of the Opposition knows that. It may be politically advantageous for her to make accusations that everything and anything that's happening in Ontario is the fault of the social contract, but the fact of the matter is that's not the case, and the teachers don't make that case either.

But I would like to suggest that what the Leader of the Opposition is doing here today again is saying one thing here and another thing outside. I'd like to remind her of a statement that she made when she was on CFRB on August 25. I want to quote this, because she is talking about local solutions:

"By having done that, we said to government, 'You have the responsibility to sit down and bargain with your own employees to bring about those reductions and let other public sector employees and employers do the same thing'; in other words, negotiate at the local level, not a provincial solution."

Now the teachers and the boards are trying to solve some of the situations at the local level, and the Leader of the Opposition comes in here today and says, "We want a provincial solution."

The Speaker (Hon David Warner): Would the minister conclude his response, please.

Hon Mr Cooke: Which is it? Is it what you said before or what you said today? Make up your mind. What's the Liberal policy today?

Interjections.

Mrs McLeod: I thank the minister for reminding all members of the Legislature just how consistent this caucus and this leader have been on this issue. Let me say to the minister and to the Premier, who keeps saying, "Local solutions. You wanted local solutions": Exactly. That is exactly what we argued for. We believe—

Hon Bob Rae (Premier): You wanted to cut expenditures by \$8 billion.

The Speaker: Would the Premier come to order, please.

Mrs McLeod: We believe collective bargaining can work and that is why we oppose the social contract legislation.

Interjections.

The Speaker: Order. The Leader of the Opposition.

Mrs McLeod: I understand why the Premier gets concerned when we say that as important as the restraint is, we had some faith that the collective bargaining process could effectively bring about those restraints, and we continue to believe that.

We predicted that the unworkable terms and conditions of the social contract would create chaos as they were imposed on local collective bargaining situations, and what we are seeing this fall is truly unprecedented. There are more serious problems with collective bargaining between teachers and trustees than at any time before in the history of this province, and all of the evidence points to the social contract as the cause of this.

In all earnestness, I say to this minister: You have created a problem. You have a responsibility now for solving the problem. You simply must not let the students of this province get lost in all of this, and I ask you today if you will commit to sitting down with teachers and with school boards to clear up the misunderstandings about the social contract and what it means and how it's supposed to be implemented, and start to sort out this mess before more students across this province pay the price for your mismanagement.

Hon Mr Cooke: We are sitting down and we are talking to teachers and we're talking to boards, but the Leader of the Opposition refers to chaos in the system. I'd like to ask the Leader of the Opposition what kind of chaos does she think—

Interjections.

The Speaker: Order.

Hon Mr Cooke: They don't want to hear this. They never want to hear what their leader says outside the House. What kind of chaos does the Leader of the Opposition think she'd be seeing in the schools and every other public service if we followed her recommendation? I quote again from the CFRB interview of August 25, "There's no doubt in our mind that prior to the last budget, the government needed to find not \$4 billion in expenditure reductions, but \$6 billion in expenditure reductions."

That would have meant 50,000, 60,000 or 70,000 job losses in the public sector, chaos in the education system. We don't need a lecture from that leader about chaos; her prescription would be a destruction of public services.

The Speaker: New question.

Mrs McLeod: Mr Speaker—

Interjections.

The Speaker: Order. New question, Leader of the Opposition.

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Mrs McLeod: Mr Speaker, I think I should ask as a point of order: If I'm asked a question, do I have an opportunity to respond?

Interjections.

Mrs McLeod: That's unfortunate, Mr Speaker.

Interjections.

The Speaker: Order.

Interjections.

The Speaker: Would the table add two minutes to the clock. Second question, the Leader of the Opposition.

WORKERS' COMPENSATION BOARD

Mrs Lyn McLeod (Leader of the Opposition): Thank you, Mr Speaker. I'll refrain from further debate about my willingness to accept the responsibility for both my statements and my actions and make my second question to the Minister of Labour.

Minister, I want to return to our questions about continuing mismanagement at the Workers' Compensation Board. You will be aware that the Ontario Chamber of Commerce has recently written to both you and the Premier concerning comments that have been made by the chairman of the Workers' Compensation Board, Mr Di Santo, regarding the expansion of Workers' Compensation Board services.

The chamber of commerce is alarmed that the chair of the Workers' Compensation Board would even consider at this point in time adding a range of new costs to the current system. Mr Di Santo has spoken in favour of a number of expanded services, including almost doubling the number of people who are covered by workers' compensation and extending benefits to include stress.

Minister, I ask you, what will these proposed new services cost, what will they do to premium rates and what will they do to the WCB's unfunded liability?

Hon Bob Mackenzie (Minister of Labour): Surely the board would not be doing its job if it was not looking at concerns that may be there over stress or over other services. None of them have been endorsed. They are out for discussion, and I think that's part of the job of the board, to try and assess what the effects, what the problems may be in the workplace, and that's exactly what it's trying to do. I would say that the board officers would be wrong if they weren't looking at future problems the board may face.

Mrs McLeod: The Workers' Compensation Board management is not doing their job if they can't answer the most basic questions about what the costs will be of their proposals to expand service. That is the basis of responsibility, and this minister surely knows this fiasco of mismanagement at the Workers' Compensation Board is just continuing week after week. Surely we don't have to go back and remind him of the \$11-billion unfunded liability or the fact that this unfunded liability grows by more than \$2 million day after day. That is evidence of the inability to manage the current costs.

The minister will be aware that instead of controlling the costs of existing services, the Workers' Compensation Board has imposed 25% rate increases for many busi-

nesses. The Employers' Council on Workers' Compensation is today predicting that these rate increases will be a killer of businesses and of jobs. It is safe to say that the idea of adding stress as a benefit is only going to drive those rates and that unfunded liability even further through the roof, and that this will certainly cost more jobs.

Minister, I ask you: How can the chairman of the Workers' Compensation Board seriously consider extending benefits to include stress when he cannot even manage the costs of the services that are now provided?

Hon Mr Mackenzie: There are a number of things that the Leader of the Opposition doesn't like to look at. One is that there has been a substantial reduction in the general operating costs at the board. They have been cutting down the administration costs substantially. Two, she keeps coming up with 25% increases, and she knows that the increase this year, whether or not she accepts it, is 3%—that's the average across the board—and that for the increases there are also decreases because they've done a reclassification, which started two years ago and is just in the process of being put into place now. I'm sure the member should know that or should realize that's part of what we're doing at the board at the moment.

Mrs McLeod: I ask the minister what realities he's prepared to look at. Will he look at the reality that any increased cost to the Workers' Compensation Board, and certainly adding stress is an increased cost, is going to drive rates even higher? Will he look at the reality that the Employers' Council on Workers' Compensation today has called for the resignation of Mr Di Santo for forcing rate increases through the Workers' Compensation Board board of directors?

The minister has repeated the fact that Mr Di Santo has said that the average rate increase is only 3%, but the employers' council says the truth is that increases of more than 25% will hit 27,000 firms across the province.

Minister, the employers' council has called the rate increase an attempt to mislead the people of this province. We have repeatedly raised our concerns about the management of WCB misleading the auditor and misleading the members of this House on the finances of the WCB. Now they're being accused of misleading the public, and again there is no confidence in the WCB.

Minister, will you not now finally act? Will you deal with the management of the Workers' Compensation Board? Will you review the rates, put a moratorium on any expansion of services, and will you now call for a royal commission to review the Workers' Compensation Board?

Hon Mr Mackenzie: I don't think we have ever ruled out the possibility that we might go at some stage to a royal commission, but I want to remind the Leader of the Opposition across the way that if you go down the road of a royal commission at this point in time, you're not going to resolve any of the number of immediate problems, a lot of which are on our plate because of Bill 162, which this party opposed and you people put in place when you were the government.

TEACHERS' DISPUTES

Mrs Dianne Cunningham (London North): I have a question for the Minister of Education and Training. Mr Minister, east Parry Sound elementary, east Parry Sound secondary and Windsor elementary school boards are currently on strike. Lambton has been legislated back. Windsor secondary will be out at the end of the week. Last evening, Leeds-Grenville elementary voted against its contract. York region elementary and Brant county are threatening. What is your explanation for this unprecedented number of strikes or pending strikes in this province?

Hon David S. Cooke (Minister of Education and Training): I don't think it would come as any surprise to the critic for the third party that there is a difficulty in the system because there are fewer resources available. The system is adapting and discussions and negotiations have become very difficult. It's also clear, and the member alluded to this herself last week in an interjection when she referred to the fact that some boards of education—and I use her term, not mine—are stripping contracts. The critic will know that some of the boards of education are going well beyond what was ever contemplated in the social contract.

I think we all need to encourage boards of education and teachers to sit down and negotiate collective agreements that reflect the realities of 1993, but also respect one another and don't go in an unrealistic, silly way to provoke damage to the public education system in the province. I would say to the member that in some cases in the province that is what's happening, and we all need to encourage boards to be more realistic and fair.

1430

Mr Ernie L. Eves (Parry Sound): I would say to the minister that all that may very well be true. However, it's no coincidence that there are several boards and several groups of teachers across this province in the same situation. But I want to deal specifically with the elementary panel in east Parry Sound.

The minister is well aware that this past Sunday mediation talks between the parties and the ERC involved as a mediator broke down for the fourth time. We are now into the 34th instructional day lost to the students in east Parry Sound elementary system because of this dispute. What are you going to do to resolve this dispute and, most important, put the students back in the classroom where they belong?

Mr Cooke: I, along with the member, am very concerned about the circumstances in east Parry Sound and for the students in east Parry Sound. I had a meeting again yesterday with representatives from the Education Relations Commission. I still believe, based on the information and the reports to me with regard to last weekend's mediation, that there is a possibility of a settlement, and the member will know some of the very specific circumstances in the mediation last weekend.

I still believe that negotiated settlement can be achieved between the board and the teachers and will be doing everything possible with the Education Relations Commission to see that that comes about. Some options

and some plans were discussed at the ERC. I don't want to negotiate in public but, believe me, I am as concerned as he is and I do believe it can be achieved at the local level.

Mrs Cunningham: What we're talking about today is probably as a result of what wasn't contemplated before the social contract talks were started. That's what it's all about. It's not about quotes on a radio station; it isn't about exaggerated circumstances. What we're talking about today is children and their right to be in school. That's what this whole issue is about.

Your social contract legislation has clearly forced a breakdown in the collective bargaining in many boards across the province. Mr Speaker, can you believe this government has caused a breakdown in the collective bargaining process? This government? It's a joke. It's their problem and they have to solve it. My question is clearly this: What are you going to do about it?

Hon Mr Cooke: I think I've indicated to the member, and to the member for Parry Sound in particular, that the Education Relations Commission is in contact with the parties. We discussed some options at a meeting I had last night with representatives from the ERC. We'll do everything we can to achieve a local settlement.

But in the end we accept the responsibility as well to protect the education for students in this province. Whatever action is necessary to protect that right to education, this government will take its responsibility seriously, I can assure the member of that.

PROVINCIAL FEES

Mr Michael D. Harris (Nipissing): My question is to the Premier. In the last few years Ontario has been introduced to a whole new language. User fees are "copayments," unemployed people are "displaced workers," discriminatory hiring practices are "positive measures," taxes are "revenue enhancers" and fees and licences are "non-tax revenues."

Premier, in an effort to bring the public up to speed on the NDP dictionary, could you explain to us just what is a non-tax revenue and how much of these pocket-picking initiatives have they cost taxpayers since your party took office in 1990?

Hon Bob Rae (Premier): I will defer to the superior knowledge and understanding of this issue of my colleague the Minister of Finance.

Mr James J. Bradley (St Catharines): Don't tarnish your image.

Hon Mr Rae: What do you mean, don't tarnish my image? I haven't got an image.

Hon Floyd Laughren (Minister of Finance): What are you implying about my image?

Hon Mr Rae: At least he's got one.

Mr Bradley: They still like you at the OFL.

Hon Mr Laughren: The leader of the third party in his question implies that there is a precise definition of non-tax revenue. In my mind, a non-tax revenue is largely a fee for a service delivered, precise service delivered or product delivered.

For example, there are many services or products that

the government has delivered that I think are substantially underpriced. I'd be surprised if the leader of the third party would disagree with me; however, life in this chamber is full of surprises.

Mr Harris: We were trying to get a handle on just how much they had increased, and we didn't get an answer on that from the Treasurer. I doubt many taxpayers in the province of Ontario think government services are underpriced. I really doubt that. When they add their tax bill all in, very few tell me they think they're getting value for money.

Mr Speaker, through you to the Treasurer, I requested of just one ministry, Consumer and Commercial Relations, a list of non-tax revenues that have been introduced, administered or increased since 1990. I just received that list. It contains 426 items. Treasurer, your spending appetite has turned into a feeding frenzy on businesses, on charities, on individuals and on organizations, both profit and non-profit.

I'd like you to listen to some of the creative ways you found to grab even more cash since you came to office: kick boxer registrations, up 1,000% since you've taken office; the fee for water slide inspections, up 100% since you've taken office; even charities that host casino nights to try to raise money for charitable purposes. Treasurer, these are tax hikes, pure and simple. They are revenue grabs. They take money out of the hands of businesses, of individuals, of charitable groups, and the impact is just as damaging.

I'd like to ask you this. When you bring in a budget, we hear the big news of the tax increases, but we do not hear throughout the year all these revenue grabs by the way of increased fees and services. Can you tell us how much money is involved and can you tell us who's in charge, who's in control, who controls these wildly increased fees and the total impact that they have on our businesses in Ontario?

Hon Mr Laughren: I'm surprised to hear the leader of the third party rant and rave against a price being charged for what are largely non-essential services. For example, if the leader of the third party says that kick boxing registration is something that should be paid for by everybody in the province as opposed to the people who are utilizing that service, ie, the registration of it, then I'd like him to stand in his place and say so. Is he saying that there should be, for example, no entrance fees for our provincial parks in the province? Is that what he's saying? Is he saying, for example, on licence fees, that there should be no charges for drivers' licences and licence plates and that everything should be rolled into the tax base?

Well, I don't agree with the member and I can tell the leader of the third party that that is not the way in which we intend to conduct business. We intend to conduct business in such a way that when there is a service that's being provided that is not an essential service for the entire province, there's nothing wrong with having a fee that represents more than it traditionally has of the cost of delivering that service.

Mr Harris: I'm interested that the Treasurer seems to imply that probate fees, that a \$50 fee to businesses to

register so that you can get a list and sell the list and the address out—that these are non-essential.

Treasurer, the Ministry of Consumer and Commercial Relations took in \$1.3 billion last year. When we think of that ministry, we think of LCBO and these types of things, but over half of that money came from these so-called non-taxes.

Our task force on cutting red tape and growing small business has heard the same thing in every single community, large and small: We're overregulated, we're overlegislated, we're overtaxed, we are overburdened. We are overburdened by eight and a half years of a government appetite to get other people's money.

Will you assure taxpayers of this: that there will be no more increases in the fees that are being served in this so-called non-tax revenue? And will you agree to do this: for every fee that is being charged now that is proven to be in excess of the cost of providing the service, will you roll them back to the amount of money that is required to provide the service? Will you agree to do that?

Hon Mr Laughren: When we were looking at the non-tax revenues of the province and a list of services of revenue-enhancement potential or possibilities, it was drawn to my attention when I asked about interprovincial comparisons that Ontario's source of revenues from non-tax revenues is one of the lowest in all of Canada. We are not out of line with charging for the services or products that government delivers.

If the leader of the third party thinks that there's a free lunch out there and that all of these services and products can be delivered with no charge whatsoever to the government, then he is taking the taxpayers of this province down a very strange path, because I want to tell the leader of the third party, there is no free lunch.

1440

SOFT DRINK CONTAINERS

Mr James J. Bradley (St Catharines): I have a question for the Premier now that he's in the fourth year of his mandate. The Premier will recall that the very first major pronouncement made by his then Minister of the Environment concerned the refillable ratio of soft drink containers. On October 15, 1990, 15 days after taking power, your government's Environment minister, the member for Etobicoke-Lakeshore, told the Recycling Council of Ontario the following, and I quote, and she'll be interested in this, she won't want to prompt you. It says the following:

"I am appalled by the failure of the soft drink companies to fulfil the reporting requirement under the container regulation. Starting now I am going to enforce that regulation very stringently. We are going to restore the refillable ratio to 30%. That is the letter of the law, and I will hold the industry to it. I am giving them six months to get their house in order and then after April 1, 1991, we will start enforcing the refillable ratio and charging those who fail to meet it."

I ask the Premier the question, what is the refillable ratio now, three years after your government's ultimatum to the industry to sell at least 30% of the product in refillable containers? If it is less than 30%, how many

prosecutions have been initiated by your government as you vowed?

Hon Bob Rae (Premier): The Minister of Environment and Energy is away and I know he's going to be returning to the House shortly, but I would say to the honourable member that I can't give him the answer to the first question.

The second question I can say directly to him that the Minister of Environment, with the full approval of his colleagues, has authorized some very intensive negotiations with the soft drink industry and those are under way right now.

Mr Bradley: Let me refresh the memory of the Premier and his forgetful government. During his stewardship of the environment, the refillable ratio has plummeted to 3% this July—in July of this year, the month when most soft drinks are consumed, 3%. The only statistic lower than his government's performance on the refillable ratio is his government's record in prosecuting the industry which has ignored the Environment minister's orders. It is zero.

The situation is this. There has been absolutely no compliance with the regulation in more than three years he has been in power. Neither has there been a charge laid since he came to power. Premier, why is your government kowtowing to the soft drink industry at the expense of the environment?

Hon Mr Rae: I'm not aware of having kowtowed to anyone lately or certainly not successfully, but I would say to the honourable member in response that as I've been reminded by the Minister of Economic Development and Trade, the discussions include all of the grocery product manufacturers, and I'm hoping they will reinforce the commitment of the industry to recycling, which has already been substantial and will produce the result that will benefit the economy and benefit the environment.

HEALTH CARE

Mr Jim Wilson (Simcoe West): My question is to the Minister of Health. In an article that ran in Saturday's London Free Press a number of health care professionals expressed their fear regarding the impact that your blitzkrieg on health services will have on this province. Dr Ron Wexler, the medical director at London's University Hospital, is quoted as saying:

"So far, nobody's died because of the social contract, but I can't promise that won't happen down the road. I can see the day coming when we're going to wake up and there's going to be no more room to manoeuvre within the system."

Minister, what steps have you taken to guarantee that people will not be dying from your social contract legislation and from your slash-and-burn health care policies?

Hon Ruth Grier (Minister of Health): I was quite frankly shocked when I read those comments and the quotes the member has read to the House. I think it is that kind of scaremongering that frightens people and makes them forget that we are spending \$17 billion on our health care system and that that will maintain critical and essential medical services. The social contract is

about protecting services and preserving jobs, not about destroying the health care system.

In the article the member quoted, another member of the medical profession went on to deplore the fact that she could no longer have her patients in for blood pressure tests every three months. A blood pressure test does not have to be performed by a physician and charged to OHIP. It's that kind of misuse of the system that has led us to the increases in expenditures and to the need to make some changes and some rationalizations, which is what this government is attempting to do.

Mr Jim Wilson: Minister, I remind you that Dr Wexler works on the front lines and he knows of what he is speaking. The responsibility for any lives lost because of social contract or your health care policies will be yours and yours alone.

There's a real possibility that patients will not be able to find an intensive care bed at London's University Hospital when more than one quarter of its ICU beds are closed. Fourteen hospitals in Toronto are being forced to make extraordinary cuts in December and January to accommodate your social contract. Humber plans to close ICU beds. Mount Sinai plans to close ICU beds and will close an additional 250 beds for more than two weeks over Christmas. Princess Margaret will be shutting down almost half of its beds. Providence says the 12 Rae days will have a negative impact on the quality of services. Scarborough General will close almost half of its acute care beds and will have reduced services for radiology, fractures and cardiac testing. Toronto Hospital will close 250 beds and designate 18 days for reduced activities.

Minister, other than telling people not to get sick over Christmas, why have you done nothing to put an end to this insanity? The hospital sector is in chaos and patients are going to die if you do not act immediately to withdraw your slash-and-burn policies. The system is crying out for coordination, for management, for some commonsense policies. Minister, I ask you, when will you finally provide the prescription for your gravely ill health care system?

Hon Mrs Grier: Coordination and management is exactly what the system needs and coordination and management is what, for the last three years, for the first time, the system has been receiving.

I would say to the member that his categorical denunciation of hospitals across the province does a disservice to hospitals that have come together, that have coordinated, that have planned and have indicated, as they submit their operating plans to this ministry, that they will carry on providing services with no effect as a result of the lack of money we have been able to increase into the system. There are some hospitals that are doing it better than others, but I ask him to be careful because a number of hospitals are managing the situation in a way that will enhance their services in the future and nobody in this province will be denied critical care over the Christmas season.

1450

UNION REPRESENTATION

The Speaker (Hon David Warner): The Minister of

Labour has a reply to a question asked earlier by the member for London North.

Hon Bob Mackenzie (Minister of Labour): The member for London North raised the question of whether or not a proper organizing drive had taken place at the Randall Klein plant in London and whether the difficulties over that organizing drive were as a result of Bill 40. I want to make it clear that Bill 40 would have made no difference in this case whatsoever.

The Labour Relations Act since the 1970s, and under her government, I might say, has made it that if 55% or better of the workers sign cards, they can be automatically certified. The Ontario Labour Relations Board itself reviews all applications for certification and reviews any evidence of misrepresentation by the union. This has been the practice of the board for a good number of years now.

In this case, the board held one day of hearings here in Toronto to review the allegations by some of the employees that the union had misrepresented how it gathered and signed the union cards. The board then ordered that a further hearing be held before it would rule on it—usually it's automatic—to decide whether or not the union should be certified. The employees then withdrew their case and did not appear at a second date that was set up. The result of that is that the board went ahead and certified the local union at Randall Klein.

Mrs Dianne Cunningham (London North): I can appreciate the response, but I think the minister missed my point yesterday. With all the changes that were made during the Bill 40 hearings, one of the great cries on behalf of workers and managers in all businesses was a secret ballot. If in fact we had a secret ballot, nobody could have hidden the cards and stuffed them in without permission of the employees. That's what we were talking about and that's the problem.

The problem in this firm is that the workers, after three days and \$1,700 a day, could not, nor could the managers in a small business, afford the legal fees to wait for this board to drag these hearings on for weeks and months. They ran out of money at \$1,700 a day and they simply walked away from it, like other businesses, other workers, other managers in the province, because he did not deal with these kinds of issues during the Bill 40 hearings. That's the problem. What are you going to do about it?

Hon Mr Mackenzie: I don't think that's the problem at all. The member's own government didn't decide that they needed an automatic vote. In this case, there was one day of hearings; a second day was scheduled. The workers backed out of the second day and did not proceed with it.

VISITOR

The Speaker (Hon David Warner): Before the next question, I invite all members to welcome to our chamber this afternoon a former member for Ottawa Centre, Mr Richard Patten. Welcome.

FIREFIGHTING

Mr Tim Murphy (St George-St David): My question is to the Minister of Labour. This morning, my colleague from Mississauga West and myself met with members of

the Ontario Professional Fire Fighters Association. They were meeting regarding occupational health and safety.

One of the issues they are concerned about is comprehensive regulation under the Occupational Health and Safety Act to improve the safety of firefighters and to prevent injury and death to firefighters. Minister, as you will know, as recently as this summer, a coroner's jury recommended such a comprehensive regulation, and that's building on coroner's inquests in the deaths of Captain Charles Kieswetter, Acting Captain Gary Kennedy, firefighter Harry Chevalier and others.

Minister, will you commit to implement such a comprehensive regulation before any more coroners' juries have to investigate the unfortunate deaths of firefighters in this province?

Hon Bob Mackenzie (Minister of Labour): We're in the process, as we have been in health care in a number of areas, of looking at regulations for health and safety legislation. That is currently being looked at. I can't tell the member when we'll be ready to move any further, but it's on the agenda.

Mr Steven W. Mahoney (Mississauga West): That's unfortunate, because the Ontario Professional Fire Fighters Association has been asking your ministry and this government to establish health and safety regulations for firefighters for some time. In fact, members would be interested to know that there is only one health and safety regulation that applies to firefighters today, and that is that they must wear a helmet. Imagine that. That's the only health and safety requirement for a firefighter in going to fight a fire, that they must wear a helmet.

The firefighters association, the Ontario Association of Fire Chiefs and the Provincial Federation of Ontario Fire Fighters have recently agreed to develop a joint proposal for health and safety regulations for the Minister of Labour to implement.

On behalf of those firefighters, the associations and, most importantly, on behalf of their families, will you sit down and draft regulations immediately to provide consistency and safety for all firefighters in the province of Ontario?

Hon Mr Mackenzie: I think the member is not remembering that we have brought in health and safety regulations in a number of areas—

Mr Mahoney: And you're making a mess of them.

The Speaker (Hon David Warner): The member for Mississauga West.

Hon Mr Mackenzie: —and we are in the process of further discussions. I have met with the firefighters myself. But I would ask the member where he was for five years when he was in office.

SEASONAL DECORATING

Mr Michael D. Harris (Nipissing): I have a question for the Premier, not as important as the one from the member for Simcoe West, but an important question. I have a copy of a directive from Management Board. This directive says: "As discussed previously, you are requested to ensure that decorations in the public spaces, such as lobbies of government buildings or exteriors, conform to a seasonal theme rather than Christmas

iconography." The memo goes on to say, "This request is not up for debate." In other words, Christmas is being banned from government offices. Can you tell me who authorized this policy that would ban, for example, nativity scenes from government offices?

Hon Bob Rae (Premier): I'm aware of no such policy at all, and I'll ask the minister of Management Board to respond to it.

Hon Brian A. Charlton (Chair of the Management Board of Cabinet): The Premier is correct: There is no Management Board policy in this respect at all. The situation which the leader of the third party refers to was a decision made by a local building manager, who was trying to be sensitive and respond to a number of complaints that were received last year. But there is no policy in that respect and as a result we've directed that the display be reinstated.

Mr Harris: The Management Board memo states it's their office's responsibility to provide an example for other ministries to follow. Would you agree with me that instead of trying to rewrite tradition and history in this province by banning one religion's holiday traditions, government offices should be encouraging the celebration of many traditions that exist in Ontario? Have you canned this policy once you found out about it, and have you directed all ministries to ignore or disregard or ban this kind of directive in the future as well?

1500

Hon Mr Charlton: It's an interesting question that the member opposite raises and the perspective he raises it from. There are a number of things that have to be taken into account. First of all, I've said that we've directed that the display in this case be reinstated this year. Secondly, there is no policy. Thirdly, what I did earlier today was to issue a statement which essentially said that the people who happen to work in the location are best suited to make the decisions about these kinds of things, because they in fact likely represent the very cultural and religious differences etc—

Mr Harris: I think he said leave it up to the local people.

The Speaker (Hon David Warner): Order.

Hon Mr Charlton: The leader of the third party seems to be having some difficulty having me agree with what he's requested, that in fact these kinds of decisions should be inclusive not restrictive, and that the employees who work in government buildings should be consulted and represented and reflected.

VIOLENCE AGAINST WOMEN

Ms Margaret H. Harrington (Niagara Falls): My question is for the minister responsible for women's issues. Exactly three years ago, in fact in the throne speech I have here, this government made a commitment to the women of this province. It said: "This government will deal resolutely with violence against women and children. It is time now for society to come face to face with this reality."

Last week Statscan released a report that confirmed what most women know: Half of all Canadian women have experienced at least one incidence of violence since

the age of 16—let me just continue for a moment—and one in six currently married women report violence by their spouse and one in two previously married women experienced violence from a previous spouse.

Minister, these statistics verify what we know too well, that violence against women is shockingly high. What kind of response is the ministry giving to this report?

Hon Marion Boyd (Minister Responsible for Women's Issues): I'm glad that the member asked the question, because of course there have been some criticisms raised of this Statistics Canada report.

It's important for all of us to understand that this is the most extensive survey of its kind that has been done; 12,300 women, randomly selected, were questioned during this and these results were based on questions that were based on Criminal Code offences only. So we now know that we are talking about an enormous number of women who have been subjected to Criminal Code offences of violence.

Our government currently spends over \$92 million a year on women's anti-violence services. They provide shelter services, advocacy services, public education and that sort of thing. We've just completed a major consultation process on how to focus those funds in an effective way to meet community needs and we're anxious to know how the new federal government will respond both to this report and to the report of the panel on violence.

We stand ready to continue to work with all levels of government and all community groups to try to deal with this very serious problem.

Ms Harrington: We must continue our commitment. On a personal level, I believe it is important for each of us as a member in this House to be leaders in our own communities and not to be afraid of addressing this issue. For instance, in the last couple of years I've handed out pamphlets at bus stops during the week of December 6. What more can each of us do, Minister, to help this cause?

Hon Mrs Boyd: Continuing to break the silence around violence against women is extraordinarily important. It's important for each of us to take a stand wherever we know violence is occurring and to have the courage to speak out to our friends, our neighbours, our family members, anyone who may be perpetrating violence or anyone who may have been victimized by violence, to offer our assistance.

We will be having a pamphleting campaign again during the week of December 6. I expect that we will be commemorating that day in this House.

I also would remind people that I understand the white ribbon campaign, which encourages men to speak out against men's violence against women, will be operating again this year. It will provide an opportunity for men to participate and to be counted in terms of the efforts to end violence against women.

PARAMEDIC SERVICES

Mr Dalton McGuinty (Ottawa South): A question for the Minister of Health: Ottawa-Carleton has one of the lowest survival rates for heart attack victims in North America. A recent study showed that our survival rate

was 2.4%. In cities where they have paramedics, the survival rate ranges anywhere from 20% to 30%, so long as they have the other three links in the chain of survival; that is, a 911 telephone response system, a high percentage of citizens who can perform CPR and early defibrillation.

Ottawa-Carleton has the first three links. Now we want paramedics. We want the kind of paramedics we're paying for in Toronto, Hamilton and Oshawa. Madam Minister, do not underestimate the importance of this issue to the people of Ottawa-Carleton. Action Paramedic and I have to date collected 27,000 individually signed petition cards, but we've only just begun. Our petition card has been published in the Ottawa Citizen and the Ottawa Sun. We expect many, many more cards shortly. In due course, I'll deliver to you in this House many, many thousands of petition cards on behalf of the 750,000 people of Ottawa-Carleton.

My question is, how can you, Minister of Health for all of Ontario, justify paying for paramedics in Toronto, Hamilton and Oshawa while refusing to pay for them in Ottawa-Carleton, the second-largest metropolitan centre in this province?

Hon Ruth Grier (Minister of Health): I am certainly very much aware of the petition campaign in Ottawa and of the fact that many people, when asked if they would like paramedics, are signing cards and petitions and saying they would. But I'm also aware, as the member has outlined, that the first three links in the emergency response chain are very important and need to be there if paramedics are in fact to be effective, and also of controversy within Ottawa, with some respected physicians questioning whether this is the most-needed health addition to the Ottawa area's health services. Before moving to approve paramedics in Ottawa, we want to carefully look at whether paramedics generally make sense, because the jury is still out.

The other three cities he has mentioned were pilot projects initiated by another government long before I became the minister. No evaluation or data collection component was part of those pilots and so there has never been an effective compilation of data or conclusion as to whether or not this was the most effective way of saving life. I want to make sure we have all those facts before we make the final decision.

Mr McGuinty: The minister's talking about a study. I can give you all kinds of studies that support that paramedics save lives. The reason they've got paramedics in over 50 Canadian cities and in hundreds of US cities is because they work. That's the reason they've got them in Toronto, Hamilton and Oshawa. It's because they save lives.

The principle behind paramedics is very simple, Madam Minister. If you or I, heaven forbid, should drop right here on the spot as a result of a heart attack or should we stop breathing, something is going to become rapidly apparent to us: Time has become critical. Studies show that if the ambulance people don't get us going right here on the spot, they're not going to get us going. Paramedics, like the ones here in Toronto, would treat us right here on the spot. But in Ottawa-Carleton our

ambulance attendants take us to the hospital for advanced life support, and in Ottawa-Carleton we'd die en route.

There's no reason whatsoever to study this issue. Remember what we're asking for here. We're not asking for more equipment, we're not asking for more ambulances and we're not asking for more personnel. We're just asking for training for our ambulance officers. The people of Ottawa-Carleton want ambulance-run paramedic services like the ones enjoyed by the people of Toronto, Hamilton and Oshawa.

1510

Are you going to give us paramedics or do you feel that a life in Ottawa-Carleton is less valuable than a life in Toronto, Hamilton and Oshawa?

Hon Mrs Grier: I reject the conclusion of the member's question and I would say to him that it is not a helpful way in which to debate what is a controversial issue.

While he says there are tons of studies saying that paramedics are the answer, there are lots of other studies. And there are lots of other cities where if the 911 isn't effective, CPR isn't performed quickly and the response time isn't immediate, the paramedic is less useful than he is in a system where all of those three links are in place. I would point out to him, for example, the city of Seattle, where they believe that by teaching all of the adult population they could reach to do CPR they save more lives than putting in the paramedics.

It is not quite as simple as merely providing the training. The kind of paramedic aid that is being requested from Ottawa is that the paramedics administer drugs on the site when they get there. Again, there are many controversies as to whether that is the most effective aid to give people or whether you want better to get them as quickly as you can to a hospital. On the basis of facts and conclusive data, we will make policy decisions, not in the kind of ad hoc, hodgepodge way it's been done in the past.

YOUTH MINIMUM WAGE

Mr Ted Arnott (Wellington): My question is for the Minister of Labour. It concerns the student minimum wage. When this government took office, the student minimum wage was \$4.55 an hour. As of January 1, the minister has told us, he intends to raise the student minimum wage to \$6.25 an hour, an increase of 37%.

Last week, when our small business task force was travelling through southwestern Ontario—and we travelled through Guelph, Stratford, Kitchener, Waterloo, London and Amherstburg in Essex county—we consistently heard the message that the minimum wage is too high and that the government's arbitrary increases in the minimum wage are damaging business confidence and destroying job opportunities in Ontario.

If the minimum wage is too high, it becomes a disincentive to hiring and job creation. In other words, the higher the minimum wage, the fewer the number of jobs that are going to be created. We heard from Joe Colasanti of Colasanti's tropical gardens in Ruthven in Essex county. Normally he hires dozens of students. He trains them from scratch and gives them an opportunity to gain

work experience. The student minimum wage, as it increases, means that he'll hire fewer students. Your increases last year alone cost him \$100,000.

The Speaker (Hon David Warner): Would the member place a question, please.

Mr Arnott: My question is this: Will the minister commit to freezing the minimum wage at today's levels, at least until the economy improves, so that more students will have the opportunity to obtain employment next year?

Hon Bob Mackenzie (Minister of Labour): The member surely knows that we've gone through the consultative process we go through and met with the various groups and announced in this House some time ago that the minimum wage would increase. It will be \$6.70 on January 1, and that's the intent of this government.

Mr David Turnbull (York Mills): On a point of order, Mr Speaker: I rise on a very important matter, a matter I must bring fully to your attention. It is a charge I make not lightly. I will try and give you all of the evidence before you rule. My charge is that the Minister of Transportation has been misleading this House.

The Speaker: No. First, before he wades deeper into the wrong end of the pool, let me caution the member that the language he has used is unparliamentary. If the member has a point of order—that is, that there is something out of order—then of course he should draw that to my attention. I know, however, the member does not wish to use unparliamentary language.

Mr Turnbull: Indeed, I don't want to use unparliamentary language. I will retract the word "misleading" and I will suggest that the minister has been bringing terminological inexactitudes to this House. The evidence that I speak of—

The Speaker: I am trying to be patient with the member. The member knows he cannot do indirectly what he cannot do directly. I ask the member to tell the House what is out of order.

Mr Turnbull: Mr Speaker, I will read a very brief extract out of the latest edition of Topical, dated November 19, which is the government's own publication. The article starts:

"The Ontario Public Service has entered a 'brave new world' when it comes to operating in an entrepreneurial and businesslike way, an assistant deputy minister says.

"Ministries have a significant opportunity—"

The Speaker: The member knows full well there is nothing out of order. He is not referring to anything in the standing orders.

PETITIONS

TEACHERS' DISPUTE

Mr Charles Beer (York North): I have a petition:

"We, the undersigned, striking east Parry Sound public school elementary teachers and their supporters, petition the government of Ontario and demand action now to bring about an end to the collective bargaining chaos in this province;

"That government action should include: one, the

suspension of the 60-day rule in the School Boards and Teachers Collective Negotiations Act which allows boards to strip contracts for the period of the social contract; and, second, prohibition of the use of replacement workers during a teachers' strike similar to the recent amendment to the Labour Relations Act."

This is signed by some several hundreds of persons from the east Parry Sound area.

The Speaker (Hon David Warner): Petitions? The member for York Mills.

Mr David Turnbull (York Mills): Mr Speaker, I would ask you to hear fully the charge that I make before you make this ruling.

The Speaker: The member tests the patience of the Chair tremendously. When a member rises on—first, would the member please take his seat. If a member says that he has or she has a point of order, the assumption is that there is something out of order. Now, we are in the midst of presenting petitions. If the member believes that there is something which we are now doing which is not in order, I wish he would tell me forthwith.

Mr Turnbull: I would ask you to fully hear what I am saying for you to be able to make a ruling, sir. The minister has in this House repeatedly stated that photoradar is not a tax grab. In Topical, this same deputy minister, talking about revenue generation by the government, says: "A good example is introduction of photoradar systems in Ontario, part of the integrated road safety program involving"—

The Speaker: Would the member please take his seat. There is nothing out of order. The member obviously has a difference of opinion and we have debates in this House that often have differences of opinion, but there is not a single thing out of order. We are in the midst of presenting petitions. Are there any more?

SEXUAL ORIENTATION

Mrs Elizabeth Witmer (Waterloo North): To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Bill 45 will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex.' This will redefine the family as we know it. We believe that there will be an enormous negative impact in our society, both morally and economically, over the long term if fundamental institutions such as marriage are defined to accommodate homosexual special-interest groups.

"We believe in freedom from discrimination, which is enjoyed by everyone by law now, but since the words 'sexual orientation' have not been defined in the Ontario Human Rights Code, may include sado-masochism, paedophilia, bestiality etc, and since sexual orientation is elevated to the same level as morally neutral characteristics of religion, race, sex, we believe all such references should be removed from the code.

"Bill 55 would make it illegal, with fines up to \$50,000, for people to make any public statement, written or oral, which ridicules, demeans or discriminates against

a person on the grounds of sexual orientation. This is a grave threat to free speech in a democratic society.

"Bill 45 is also an attack on freedom of religion against historical Christianity which does not condone homosexuality.

"We have moved away from a position where homosexuals and other special-interest groups are no longer content to express their ideas but demand that contrary views be suppressed with stiff penalties.

"At the same time, these special-interest groups will be allowed to teach their controversial alternative lifestyles to youngsters in the classroom, thereby proselytizing children with their viewpoints without allowing for differing opinions.

"Therefore, we, the undersigned, request that the House refrain from passing Bill 45 and Bill 55."

1520

PICKERING AIRPORT LAND

Mr Larry O'Connor (Durham-York): I've got a petition to the Legislative Assembly and to the Lieutenant Governor of Ontario:

"Whereas the previous federal Conservative government intended to dispose of surplus lands around the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the last federal government's plan of sale;

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request that the new federal government of Canada initiate a public review by panel of the federal Minister of the Environment to ensure that the disposal of these will protect the rural resources and the community of residents therein."

I've heard of people getting eviction notices, and I hope they convene this meeting very soon.

SEXUAL ORIENTATION

Mr Ron Eddy (Brant-Haldimand): A petition to the Legislative Assembly of Ontario:

"We, the undersigned citizens of Ontario who live in your riding and attend the First Baptist Church in Dunnville, ask that you convey to the Premier of Ontario, the Attorney General of the province and to the Chair of the standing committee on administration of justice our concern with the legislation known as Bills 45 and 55.

"We are concerned with the change in the Human Rights Code to prohibit discrimination on the basis of sexual orientation and with the deletion of the words 'of the opposite sex' from the definition of 'marital status.'

"We're also concerned that Bill 55 could prohibit our freedom to talk about our views on homosexuality and legitimizes a particular conviction/behaviour and silences debate concerning sexual orientation with criminal consequences for such debate. We believe that these bills make the government more intrusive than is justifiable in a free and democratic society."

I have signed it.

RETAIL STORE HOURS

Mrs Margaret Marland (Mississauga South): I have a petition to the Lieutenant Governor and the Legislative Assembly of Ontario which reads as follows:

"We, the undersigned, hereby register our opposition to wide-open Sunday business.

"We believe in the need for keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardships on retailers, retail employees and their families.

"The proposed amendment of the Retail Business Holidays Act, Bill 38, dated June 3, 1992, to delete all Sundays except Easter (51 per year) from the definition of 'legal holiday' and reclassify them as working days should be defeated."

I'm happy to add my support to this.

INTERNATIONAL TRADE

Mr Drummond White (Durham Centre): I have a petition here from many constituents in my riding concerned about job loss, people like Terry and Shannon Everest, Janet Debosey, Marc Belcourt, David Roy and Eric McBride. They ask that I present this petition on their behalf.

"Whereas we feel the Canada-US free trade deal has done immeasurable damage to the economy of the province of Ontario, causing the loss of more than 450,000 jobs in Ontario alone; and

"Whereas we feel the proposed North American free trade agreement will have an even more devastating effect in Ontario, resulting in the loss not only of more jobs but also a reduction in our environmental standards, our labour standards, our workers' rights and our overall quality of life;

"We petition the Legislature of Ontario in Toronto to fight this trade deal with whatever means possible, and we petition the House of Commons in Ottawa to stop this deal now, and we particularly exhort the new federal government to live up to its commitment to preserve jobs in our province."

ST LAWRENCE PARKS COMMISSION

Mr John C. Cleary (Cornwall): I have a petition to the Parliament of Ontario:

"Whereas the St Lawrence Parks Commission has closed a number of parks; and

"Whereas if these parks would remain open, it would boost the economy of eastern Ontario; and

"Whereas the Ministry of Tourism and Recreation does not support single-source leasing at this time;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To permit private sector leasing of the above parks for revitalization of eastern Ontario."

That's signed by many municipal people in eastern Ontario and I've also signed the petition.

The Speaker (Hon David Warner): The member for Markham.

SEXUAL ORIENTATION

Mr W. Donald Cousens (Markham): Thank you very much, Mr Speaker. I've been trying to get on here for—anyway, this is a petition signed by about 500 people from the riding of Markham. It's to the Legislative Assembly of Ontario:

"Whereas traditional family values that recognize marriage as a union between a man and a woman are under attack by Liberal MPP Tim Murphy and his private member's Bill 45; and

"Whereas this bill would recognize same sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and Liberal majority but with no PC support in the second reading debate on June 24, 1993; and

"Whereas this bill is currently with the legislative committee on the administration of justice and is being readied for quick passage in the Legislature; and

"Whereas this bill has not been fully examined for financial and societal implications;

"We, the undersigned, petition the Ontario Legislature to stop this bill and to consider its impact on families in Ontario."

I have affixed my signature to this petition.

PROCEEDS OF CRIME

Mr Gary Carr (Oakville South): I have a petition signed by thousands of Ontario citizens that says:

"To the Legislative Assembly of Ontario:

"Whereas criminals can currently derive profit from the sale of recollections of their crimes; and

"Whereas criminals can also derive profit for interviews or public appearances; and

"Whereas this can cause suffering of crime victims and that of their families;

"We, the undersigned, demand that private member's Bill 85, Proceeds of Crime Act, 1993, be passed into law."

I've signed my name to that as well.

Mr David Tilson (Dufferin-Peel): I have a petition of 187 signatures from my riding of Dufferin-Peel and it's addressed to the Legislative Assembly of Ontario:

"Whereas criminals can currently derive profit from the sale of recollections of their crimes; and

"Whereas criminals can also derive profit from interviews or public appearances; and

"Whereas this can cause suffering of crime victims and that of their families;

"We, the undersigned, demand that private member's Bill 85, Proceeds of Crime Act, 1993, be passed into law."

I have signed this petition.

INTERPROVINCIAL TRADE

Mr Drummond White (Durham Centre): I have a petition for the Legislative Assembly of Ontario from people like Perry Comeau, Valerie Hall, Christina Schropp, people who are concerned about job losses in our province:

"Whereas we feel the Canada-US free trade deal has done immeasurable damage to the economy of the province of Ontario, causing the loss of more than 450,000 jobs in Ontario alone; and

"Whereas we feel the proposed North American free trade arrangement will have an even more devastating effect on Ontario, resulting in the loss not only of more jobs but also a reduction in our environmental standards, our labour standards, our workers' rights and our overall quality of life;

"We petition the Legislature of Ontario in Toronto to fight this trade deal with whatever means possible, and we petition the House of Commons, with a newly elected federal government, to honour their commitment to the people of Ontario in stopping this deal now."

SEXUAL ORIENTATION

Mr Robert W. Runciman (Leeds-Grenville): I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas traditional family values that recognize marriage as a sacred union between a man and a woman are under attack by Liberal MPP Tim Murphy and his private member's Bill 45; and

"Whereas this bill would recognize same sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and Liberal majority but with no Conservative support in the second reading debate on June 24, 1993; and

"Whereas this bill is currently with the legislative committee on the administration of justice and is being readied for quick passage in the Legislature; and

"Whereas this bill has not been fully examined for financial and societal implications;

"We, the undersigned, petition the Ontario Legislature to stop this bill and to consider its impact on families in Ontario."

I'm affixing my signature.

The Speaker (Hon David Warner): The member for Etobicoke West.

Interjection.

Mr Chris Stockwell (Etobicoke West): If you're going to spend time here, you should spend it with those you never see.

The Speaker: Petitions.

Interjections.

The Speaker: Order. Does the member for Etobicoke West have a petition?

Mr Stockwell: Yes, I do. I apologize.

1530

PROCEEDS OF CRIME

Mr Chris Stockwell (Etobicoke West): I have a petition to the Legislative Assembly of Ontario:

"Whereas criminals can currently derive profit from the sale of recollections of their crimes"—

Mr Drummond White (Durham Centre): Try that

again, Chris, "concurrently."

Mr Stockwell: No, it's not. It's "can currently," not the place in Mexico.

"Whereas criminals can also derive profit from interviews or public appearances; and

"Whereas this can cause suffering of crime victims and that of their families;

"We, the undersigned, demand that private member's Bill 85, the Proceeds of Crime Act, 1993, be passed into law."

I will sign my name to this as well.

Mr David Turnbull (York Mills): Mr Speaker, I'm sorry; I must return to my point of privilege. I'd like to quote from the—

The Speaker: It's now a point of privilege.

Mr Turnbull: Yes, Mr Speaker, this is a point of personal privilege. I want to point you to sections 21(b) and 21(a) of the standing orders. I would just like to quote from that.

Section 21(b) says, "Whenever a matter of privilege arises, it shall be taken into consideration immediately."

Section 21(a) reads, "Privileges are the rights enjoyed by the House collectively and by the members of the House individually conferred by the Legislative Assembly Act and other statutes, or by practice, precedent, usage and custom."

My point of privilege, sir, and I ask you to this time hear me fully, because you can only determine the validity of my claim by hearing what I have to say:

Repeatedly in this House, the Minister of Transportation in debate, both in questions that I have asked him and that other members have asked him, has stated that the photo-radar bill, Bill 47, is not a revenue grab. He has always suggested this is revenue-neutral.

However, Mr Speaker, in a government publication—

Interjections.

The Speaker: Order. If the House would come to order, I would be able to hear the member for York Mills.

Mr Turnbull: Mr Speaker, the evidence that I'm reading is a publication which speaks for the government. It is the Topical publication put out by the Management Board secretariat and it is dated November 19. I will read you two very brief excerpts.

The first one reads, "'Ministries have a significant opportunity to offset some expenditure control pressures by focusing efforts on generating revenues,' said Ron Vrancart, Ministry of Natural Resources."

The Speaker: What is the point of privilege?

Mr Turnbull: It goes on, and in the middle of the article, Mr Speaker, it reads:

"A good example is introduction of photo-radar systems in Ontario, part of the integrated road safety program involving several ministries that was announced in this year's budget.

"It will take some time to get the technology in place and train the police to use it"—

The Speaker: What is your point of privilege?

Mr Turnbull: —“before fines can start being levied and collected.”

Interjections.

The Speaker: I ask the member for Yorkview to come to order, and the member for Mississauga West as well.

I would ask the member to very quickly get to what privilege it is he believes that he has lost.

Mr Turnbull: Mr Speaker, my point of order is that repeatedly—

Interjection: Privilege.

Mr Turnbull: My privilege has been violated, Mr Speaker, by merit of the fact that the minister has consistently said this is not a revenue grab. This clearly is evidence that it is a—

The Speaker: Would the member take his seat, please. The member has tried the patience of the Chair too far.

Mr Turnbull: What are we supposed to do? We're going to vote on the bill now.

The Speaker: Reports by committees. Introduction of bills. The member for Markham.

Mr W. Donald Cousens (Markham): In standing in defence of the member for York Mills—

The Speaker: Would the member for Markham please take his seat. No. The member allegedly had a point of order, and then it was a point of privilege, and then it was a point of order. I dealt with it. The matter is finished, and we are now at introduction of bills. The Minister of Housing.

A new point of order? The member for Markham.

Mr Cousens: Mr Speaker, the standing orders of the assembly under section 21 state: “Whenever a matter of privilege arises, it shall be taken into consideration immediately.”

The view that I would like to present to the Speaker, with deep respect, is that the member for York Mills has an issue that requires listening to by the Chair inasmuch as this bill that he's talking about is coming up for second reading today.

The Speaker: The member for Markham knows that there is no point of order. The member for York Mills had a disagreement with something which was printed, had a disagreement on a policy issue, and of course that's a matter of debate. That's what this chamber's for. But there is nothing out of order, nor has he lost any privileges.

INTRODUCTION OF BILLS

RESIDENTS' RIGHTS ACT, 1993

LOI DE 1993 MODIFIANT DES LOIS EN CE QUI CONCERNE LES IMMEUBLES D'HABITATION

On motion by Ms Gigantes, the following bill was introduced for first reading:

Bill 120, An Act to amend certain statutes concerning residential property / *Projet de loi 120, Loi modifiant certaines lois en ce qui concerne les immeubles*

d'habitation.

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry?

All those in favour will please say “aye.”

Those opposed will please say “nay.”

In my opinion, the ayes have it.

Call in the members; a five-minute bell.

The division bells rang from 1537 to 1542.

The Speaker: Ms Gigantes moved that leave be given to introduce a bill entitled An Act to amend certain statutes concerning residential property. All those in favour of Ms Gigantes's motion should please rise one by one.

Ayes

Abel, Akande, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Cooper, Coppen, Dadamo, Duignan, Ferguson, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Murdock (Sudbury), O'Connor, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Rizzo, Silipo, Sutherland, Ward, Wark-Martyn, Waters, Wessinger, White, Wilson (Kingston and The Islands), Wilson (Frontenac-Addington), Winninger, Wiseman, Wood, Ziemba.

The Speaker: All those opposed to Ms Gigantes's motion will please rise one by one.

Nays

Arnott, Beer, Bradley, Callahan, Caplan, Carr, Cleary, Cordiano, Cousens, Daigeler, Eddy, Elston, Eves, Fawcett, Grandmaître, Johnson (Don Mills), Jordan, Mahoney, McClelland, McLean, Miclash, Murdoch (Grey-Owen Sound), Offer, O'Neill (Ottawa-Rideau), Poole, Runciman, Sola, Stockwell, Tilson, Turnbull, Witmer.

The Speaker: The ayes being 61 and the nays 31, I declare the motion carried.

When Speakers make mistakes, we should own up to them too. I neglected to allow the Minister of Housing her rightful opportunity to make a brief statement with the introduction of her bill. My apologies.

TEACHERS' PENSION AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT LA LOI SUR LE RÉGIME DE RETRAITE DES ENSEIGNANTS

On motion by Mr Silipo, on behalf of Mr Cooke, the following bill was given first reading:

Bill 121, An Act to amend the Teachers' Pension Act / *Projet de loi 121, Loi modifiant la Loi sur le régime de retraite des enseignants.*

Hon Tony Silipo (Minister of Community and Social Services): These amendments, which are of a technical nature, are put forward with the agreement and support of the Ontario Teachers' Federation, our partner in the Ontario teachers' pension plan. This bill proposes an amendment that will give the Ontario Teachers' Pension Plan Board clear authority to repay to the government

special payments that the government has already made to the plan.

The partners have agreed that these payments may be replaced by gains disclosed by a January 1, 1993, evaluation of the fund. The bill also proposes to revise the method of calculating the amounts of the special payments that remain to be made to liquidate the unfunded actuarial liability of the Ontario teachers' pension plan as of January 1, 1990.

While this proposed amendment changes the way payments are calculated, it does not alter the government's commitment to pay off this liability.

ORDERS OF THE DAY

PROVINCIAL OFFENCES STATUTE LAW AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT DES LOIS EN CE QUI CONCERNE LES INFRACTIONS PROVINCIALES

Resuming the adjourned debate on the motion for second reading of Bill 47, An Act to amend certain Acts in respect of the Administration of Justice / Projet de loi 47, Loi modifiant certaines lois en ce qui concerne l'administration de la justice.

The Speaker (Hon David Warner): I must remind the House that, as stated in the resolution passed by this House earlier, when Bill 47 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment.

Those in favour of Mr Charlton's resolution will please say "aye."

Those opposed will please say "nay."

In my opinion, the ayes have it.

The division bells rang from 1549 to 1554.

Mr Robert V. Callahan (Brampton South): I rise on a point of order, Mr Speaker: In light of what was said by the member for York Mills, I wish to inquire of you whether or not this is a money bill we're voting on.

The Speaker: The traditional response is maybe yes, maybe no.

Mr Pouliot has moved second reading of Bill 47. Those in favour of Mr Pouliot's motion should please rise one by one.

Ayes

Abel, Akande, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Cooper, Coppen, Dadamo, Duignan, Ferguson, Fletcher, Frankford, Gigantes, Grier, Haack, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Murdock (Sudbury), O'Connor, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Rizzo, Silipo, Sutherland, Ward, Wark-Martyn, Waters, Wessinger, White, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wood, Ziemba.

The Speaker: All those opposed to Mr Pouliot's motion should please rise one by one.

Nays

Arnott, Beer, Bradley, Callahan, Caplan, Carr, Cleary, Cordiano, Cousens, Cunningham, Daigeler, Eddy, Elston, Eves, Fawcett, Grandmaître, Harnick, Johnson (Don Mills), Jordan, Mahoney, Marland, McClelland, McGuinety, McLean, Miclash, Morin, Murdoch (Grey-Owen Sound), O'Neill (Ottawa-Rideau), Offer, Phillips (Scarborough-Agincourt), Poirier, Poole, Runciman, Sola, Sterling, Stockwell, Tilson, Turnbull, Wilson (Simcoe West), Witmer.

The Speaker: The ayes being 60, the nays 40, I declare the motion carried.

Pursuant to an earlier order of the House, this bill is referred to the standing committee on general government.

Mr Murray J. Elston (Bruce): On a point of order, Mr Speaker: You will know that I raised the issue last week about this very problem we're about to embark upon.

We are now in the middle of dealing with a bill called the Environmental Bill of Rights in the committee to which Bill 47 is referred. The difficulty is that we had some kind of consensus reached among the three parties that we would work and continue the clause-by-clause and finish the Environmental Bill of Rights before we rose at Christmas.

My concern now is that an agreement among the three parties has been broken by the intervention of this particular motion and it now appears that the House is asked to do two mutually exclusive pieces of business in the same committee. In my view, it has been the premise upon which this place has operated that the Legislative Assembly should not and does not tell the committees how to structure their business and, in fact, when they're endeavouring to do the business in a committee which is already occupied doing a bill of government's important agenda, that they not be interrupted.

My view, sir, is that not only has the business of the committee been interrupted, you have allowed, by the introduction of this motion, which I believed at the time was out of order and which I still now believe is out of order, to intervene in a way which we have never, ever contemplated being able to intervene before.

1600

The mere fact that the motion purports to take place under the auspices of a particular standing order is not in itself enough to curtail the authority and the independence of the legislative committees to set their own agenda. In fact, from time to time, Mr Speaker, you have reminded me when I stood on issues that are related to the business of the committees that you are unable to intervene and the House is unable to intervene to change that schedule unless there is a report from the committee asking for the direct intervention of the Chair.

It seems to me, therefore, Mr Speaker, that now that the hypothetical which I alerted you to last week has taken place, that is, that a bill and an agenda which are already being dealt with in the committee have been set aside by this particular motion, you must now be confronted with the prospect that the standing order was used

inappropriately and that it in fact did something which you have never allowed the Chair to do.

If you allow this House, Mr Speaker, to put this motion into play—ie, putting photo-radar into that committee when it is in the middle of doing the Environmental Bill of Rights, which was there on agreement of the three parties to be there and to be finished before we rise at Christmas—you are setting a precedent and allowing us therefore to bring to you, by motion duly brought under the standing orders, to change the business of each of those committees.

While you may in the end be sustained in your ruling, or at least the House may vote against the motion brought by us, it appears that you are now prepared to accept that any member can come to the House to ask that the House direct a particular committee to cease and desist from doing special pieces of business and intervene to do business the members themselves would like to have performed in that committee. Having accepted this motion, I think you have now set the precedent that this chamber will be able to restructure the business of any committee at any time so long as we bring a motion that is within the ambit of any of the standing orders in this place.

That being the case, Mr Speaker, I think you should consider this particular item at this particular time to see, now that the hypothetical has occurred and is now real and practical, whether or not you are prepared to accept that this House will establish the business of the day, by motion, for each of the committees, even though they are in the middle of a process which has been unanimously agreed upon among the House leaders and therefore among the caucuses.

Mr Ernie L. Eves (Parry Sound): On the same point of order, Mr Speaker: I have a further procedural concern to that of my colleague from Bruce, and that is that it's my understanding that the general government committee is currently in the midst of a vote in the committee itself on Bill 26. As a matter of fact, it was an amendment that was posed by my colleague the member for Dufferin-Peel. I believe the committee had recessed for 20 minutes—a 20-minute delay was requested, as is permitted under the rules—and is actually in the midst of a vote.

If this time allocation motion were to be followed exactly as is worded and the next two days that the general government committee sits it will deal with photo-radar, in fact you will be interrupting—not you; I don't mean that personally, Mr Speaker. The time allocation motion would be interrupting a vote, the middle of a vote, on another piece of legislation. I certainly think we need your guidance with respect to that matter.

Mr David Tilson (Dufferin-Peel): On the same point of order, Mr Speaker: Just to elaborate further on what the member for Parry Sound said, the difficulty is that the general government committee did pass a resolution some time ago—I can't recall the precise date—where the clause-by-clause discussions with respect to the environmental bill would be for one full day—beginning one full day. It didn't say one full day but beginning one full day, beginning the day of this past Thursday.

Those proceedings, those considerations by the committee on the Environmental Bill of Rights are still under way. In fact, as the member for Parry Sound said, there is a motion that is currently before that committee, which I made, that is now about to be voted on with respect to the committee.

Because the Chair of the committee, Mr Brown, the member for Algoma-Manitoulin, adjourned the proceedings to this coming Thursday, the difficulty that is now happening is that this motion before the House, which we have just voted on, is quite clear that once second reading has been completed this bill must be dealt with by the general government committee on the next two proceeding days. Now the general government committee is in the middle of a vote. They are about to take a vote and they are being overruled essentially by this House. It puts the committee in a very difficult position.

Mr David Turnbull (York Mills): On the same point of order, Mr Speaker: During a meeting of the subcommittee of the committee on general government, it was agreed unanimously that a motion should be put forward for debate by the full committee that insufficient time had been allocated to the debate of photo-radar and requesting that the government allocate more time. In point of fact, that was to have been debated at the next regularly scheduled date, which was last Thursday.

It was by mutual agreement between all members of the subcommittee that this would be handled as the first item of business in the afternoon session last Thursday. However, Mr Wiseman, the member for Durham West, made a motion to suggest that this should not be handled until after dealing with the Environmental Bill of Rights.

Moving forward that question of ordering our business for the committee will intrude upon the two days that have been allocated, which we've already stated is insufficient, but will further intrude on the ability of the committee on general government to consider the clause-by-clause of this very complex piece of legislation, the photo-radar bill.

Mr Speaker, in making your ruling, as well as the considerations that have been brought forward with respect to dealing with the motion that is on the floor of the committee, I would ask you to further rule as to whether there should be a delay and an extension of sittings in the light of the fact that the committee, under the aegis of the member for Durham West, has stopped the considerations of the subcommittee in their tracks and therefore doesn't allow for any ordering of the business of the subcommittee with respect to photo-radar.

The Speaker: First to the member for Bruce, I appreciate the concerns he brings to my attention. I think all members will realize that the House can direct committees to do certain things at certain times. The House, by way of motion on November 16, decided that the standing committee on general government would meet to consider Bill 47 on two regularly scheduled meeting days immediately following the second reading stage. The motion is very clear and what has to happen is that the bill then goes to the committee.

Now, at the same time members will know that

routinely, when second reading debate is completed on a bill, the House decides to which committee that bill should be sent. Beyond that parameter, the member for Bruce will acknowledge that I have expressed some concern from time to time about the role of committees and their opportunity to act in the fullness of what a committee should be able to do in a parliamentary system. But the House prevails and the House makes its decision as to where something will go. It can order committees to do certain things.

To answer the question of the member for Parry Sound, for that committee it may be problematic, but I take it that what supersedes everything else, including a vote, is the order of the House. The committee will be inconvenienced to some extent; I appreciate that. But at the same time, the House has made a determination, notwithstanding any work that may have been done by unanimous agreement of a subcommittee.

Subcommittees are struck to try and develop an orderly way to conduct committee business, and often, in fact most times, they are very successful. The committee may have reached unanimous agreement about how to proceed. The House has imposed its will. It's not for the Chair to determine whether that is a good thing or not a good thing. The House has determined the direction it shall follow and the direction a committee shall follow.

I appreciate the concerns that have been raised by the member for Dufferin-Peel and the member for York Mills, as well as by the two honourable House leaders from the third party and the official opposition.

1610

MEMBER'S PRIVILEGE

Mr Tim Murphy (St George-St David): On a point of privilege, Mr Speaker: I apologize for not giving you advance notice. I try to do that normally. I'm really trying to seek some guidance from you with respect to a concern I have regarding a breach of my privileges as a member. I would ask you not to rule right away. I'm really seeking your guidance and I'm prepared to provide you with some written argument or additional written information after, if you so require.

It arises in June; I think it was June 9 of this summer. I wrote to the Solicitor General regarding having access to a thing called a media report, a ministry document which is a collection of clippings from newspapers across the province that the ministry collects and collates and provides to people within the ministry and others. I saw it because it was made available to me.

I then made a request to the minister for access to that publication. There was some months' delay before I got a response. Subsequently, I got a response from a staff person in the minister's office which said—and I'm paraphrasing here; I apologize—in essence, that the cost of clipping and collating was so prohibitive they couldn't photocopy another set of the pages to provide to me.

I think this is a privilege issue because I think it relates to both the free speech rights that I have and the right-to-vote rights—and I ask you not rule right today—because it is public information. It's not any private information. It's not government information. It doesn't have any of

those particular elements.

I know that similar media information of that kind is provided by other ministers to the critics. I am the co-critic for that portfolio and I think it's important for me in my job as a member to have access to information of that kind, which is publicly available, in order to do my duty. By denying me access to information that is available, I think my privileges are being breached. I'd be prepared to provide additional written argument if you so desire, Mr Speaker.

The Speaker (Hon David Warner): The member for St George-St David might not be aware that this issue has been raised on previous occasions in previous parliaments. Indeed, it has been a consistent ruling that it is not a loss of a member's privileges where the member has not received items for which a government agency has noted that there would be a considerable cost involved.

I understand and share the member's concern that all members should have, as much as possible, complete access to whatever information is required in order to fulfil their duties. However, in the circumstances which he describes, it has not been found in the past to be a loss of privilege. I know this is disappointing news to the member for St George-St David, but none the less that has been a consistent ruling.

EXTENDED HOURS OF MEETING

Hon Brian A. Charlton (Government House Leader): Government notice of motion number 14.

Mr Murray J. Elston (Bruce): On a point of order, Mr Speaker: Under standing order 6(b)(i), it says that this motion may be moved on the basis that we are now in the last eight sessional days in the month of December and June of any year. I ask you to note that in fact this motion indicates that these are the last eight sessional days, including part of November, and it is not therefore provided for in the standing orders that this motion may be moved at this time. Quite clearly, on the face of it, (b)(i) says "the last eight sessional days in June and December." I ask you to rule that this motion is therefore out of order.

The Speaker (Hon David Warner): To the member for Bruce: Indeed I was aware of the inconsistency in the standing orders. He is absolutely correct that the standing order, as worded, says the month of December and the motion that's on the order paper indicates two days in November as well as six days in December. I will allow the motion to stand. However, the two days in November are not considered part of the motion. They are not considered for the purpose of night sittings.

Mr Elston: I'm sorry to interrupt you, Mr Speaker, but we have been consistently told that you are going to enforce the standing rules as they are. The motion is totally out of order. We have not therefore been given notice of a valid motion under standing order 6(b)(i). We have been given notice that the motion is to consider November and December late-night sittings.

You are not, sir, free to interpret this standing order conveniently to take away two of those days. To be quite honest, Mr Speaker, you must restrict yourself to what it says in this standing order. If the motion does not comply

with the standing order, it is out of order and it cannot be severed by your ruling. It must be placed again another day and you are not, sir, in my opinion, able to sever it for your convenience or for the convenience of the government.

It is not, Mr Speaker, my view that you can allow this motion to proceed at this time, that you must ask for us to be given notice of a proper motion. I'm going to insist that you enforce this standing order on the letter, as you have enforced standing orders on the letter against the opposition parties.

I cannot, sir, understand how you could take this unusual step to protect the government when its motion clearly does not comply with the standing order that is here on the face of this book. You are always telling us that we must have specific words. There are no better specific words than under 6(b)(i) which says: "During the last eight sessional days in June and December, a motion to extend the hours of meeting during the remaining days in each period provided for in clause (a) may be proposed, with notice, by a minister of the crown."

Well, it's proposed by the minister—I'm pleased to admit that—but the eight sessional days specified in the motion, of which we have notice and upon which we would be putting a great deal of our time, indicate that this is not in order and does not comply with the standing orders. This means we are being asked to consider a motion which is totally different than the one contemplated by 6(b)(i).

You, sir, I understand would like to help these people out but you cannot and must not allow them to get away with proposing a motion that is not contemplated under standing order 6(b)(i).

Mr Ernie L. Eves (Parry Sound): I have listened with some interest to the point made by the honourable member for Bruce and I must say I think he has a valid point. I think the standing order is quite explicit in that it refers to two months only, be they June and December. I would quite agree that it cannot apply to eight days if those eight days include two days in the month of November, nor could it if it applied to two days in May, I would suggest to you. So I think indeed the member for Bruce does have a very valid point.

Hon Mr Charlton: The opposition House leaders raise an interesting point. I suggest to you, sir, though, that they also very carefully in their comments pointed out the internal inconsistency in the standing orders.

The order not only says in December, the order also very clearly says "the last eight sessional days"—

Mr Elston: In June and December.

Hon Mr Charlton: That's correct, but it is an internal inconsistency based on the calendar that's set out in these standing orders.

I think, Mr Speaker, it's your responsibility to interpret the intent of that section, which is to allow for late-night sittings on the last eight sessional days, in the spring and in the fall, based on the calendar that's set out in these standing orders.

The Speaker: To the three House leaders: First of all, members will recall that prior to the change in the

standing orders, where we sat one week later in December than what the standing orders now call for, eight sessional days would always fall within the month of December. It would be impossible for them not to fall within that time. When the standing order was changed to move up a week, the corresponding change was not made, obviously, in the standing order to which the member for Bruce refers.

I listened carefully to both the member for Parry Sound and the member for Bruce, as well as the government House leader. He raises a very interesting point and in a moment I'm going to consider it further. I wish for all members to know that every decision that is made from this chair is made to serve all members equally. The convenience of the Chair has nothing to do with it nor any other factors. We will stand recessed for 10 minutes.

The House recessed from 1622 to 1632.

The Deputy Speaker (Mr Gilles E. Morin): The House will recess for an extra five minutes.

The House recessed from 1632 to 1637.

The Speaker: I've had the opportunity to review the matter which was brought to my attention by the honourable member for Bruce and the honourable member for Parry Sound, and both of those members are right. The motion is not in order, and I will call for the next order of business.

INCOME TAX AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT LA LOI DE L'IMPÔT SUR LE REVENU

Mr Sutherland, on behalf of Mr Laughren, moved second reading of the following bill:

Bill 31, An Act to amend the Income Tax Act / Loi modifiant la Loi de l'impôt sur le revenu.

The Speaker (Hon David Warner): Does the member have any opening remarks?

Mr Kimble Sutherland (Oxford): Yes, I do, Mr Speaker. This bill primarily will implement the income tax changes as announced in the previous budget. It also does some administrative changes to the legislation in terms of ensuring that our legislation will be consistent with some of the changes that have come about as a result of federal changes. It also will permit taxpayers to electronically file the Ontario portion of their annual income tax return.

As I said, the primary focus of the bill is the increases that were announced in the last budget. Many people obviously are not happy about paying more income taxes. No one takes a great deal of pleasure in paying more income taxes, but I want to remind people that this was part of our strategy to get a handle on the deficit. The three-pronged strategy of course included the social contract in terms of dealing with those who work in the broader public sector, for a saving of \$2 billion. We also had the expenditure control plan, which further reduced government spending by \$4 billion, and then the other side of that of course was a \$2-billion increase in tax revenue and in non-tax revenue, fees and licences etc.

A significant portion of that came from income tax increases, and there are several reasons. First of all, we all know income tax is one of the most progressive forms

of taxation we have. This government has certainly made a commitment in trying to deal with tax issues and the tax increases that have been necessary to sustain our levels of services and maintain our strong commitment to job creation. We've tried to do that in a very progressive manner.

Certainly we've seen some studies that have analysed the tax increases that clearly indicate that this government has done that. In terms of tax increases, those who earn more have received higher increases. There's been a significant number of people at the lower end who don't pay any Ontario income tax because of changes we've made to the tax reduction program. We have made the tax system and the Ontario portion of income tax far more progressive than they have been in the past.

I look forward to the comments being put forward by other members. I would suggest that in the normal course of events opposition members will say this is so awful because there are tax increases. As I said, no one likes to pay tax increases, but we have a very good level of services. We have very strong public services in this province. We want to try and maintain them in this difficult economic period.

I will remind people that government revenues did go down three years in a row. That has not occurred to any other government since the Second World War, so when opposition members are saying, "You shouldn't have done income tax increases," that's fair enough. Then they have an obligation to explain to people quite frankly what the alternatives would've been.

I know particularly that the Leader of the Opposition has clearly said, I believe on a CFRB radio program, that her solution is that she would've made more significant cuts. She would've got more out of the social contract. She would've wanted that to be \$4 billion not \$2 billion.

It's quite interesting that while we haven't heard the Leader of the Opposition say that here in this House, she has certainly tried to say that to other people, that this should be—

Mr Robert W. Runciman (Leeds-Grenville): We're a minority opinion.

Mr Chris Stockwell (Etobicoke West): Kimble, explain away your \$14-billion debt. Short-sighted, narrow-minded, socialist pap.

The Deputy Speaker (Mr Gilles E. Morin): Order. There is a period, questions and comments, where members can voice their opinions.

Mr Sutherland: I look forward to hearing comments from the Liberal Party as to whether it agrees with its leader in the comments she made on a CFRB radio program that she feels we didn't go far enough in the social contract. Of course, we know what the third party has been saying all along, that it would've just cut and slashed and burned. We were not willing to accept that approach. We wanted to maintain services.

As I've said, these are very difficult times for everybody. We understand they're very difficult times for the public at large. They don't take any pleasure in having to pay more income tax. We have tried to do it in a very progressive way. We have tried to make a commitment to

get our operating spending under control, and I think we've done that. We've made a commitment to get the deficit under control. We've also made a commitment to maintain services and to continue with the most significant job creation efforts we've seen in this province.

I don't need to remind you that one of the reasons the new federal government was elected was because of its commitment to job creation. From all reports, they're indicating they may spend \$400 million a year in the province of Ontario. I want to remind people and would remind everyone here that this government is spending almost 10 times that amount, 10 times the amount the federal government is committing to this province. It should be made clear that we are the leaders.

This government is the leader in job creation in this province through the many different programs, the Jobs Ontario Capital program, the Jobs Ontario Homes program, the Jobs Ontario Community Action program. They're very successful.

During constituency week, I toured some of the Jobs Ontario Training programs and only heard compliments from employers about the success of this program, employers who said they have not used a government program for 20 years because they've been so turned off about how ineffective past government programs had been. They're using the Jobs Ontario Training program because it is designed for them. It meets their needs. They can develop a training program that meets their specific needs in their factory, in their plant, in their workplace.

It's through those programs and through those efforts that we're continuing to make a commitment to, that we're continuing to fund. Some of these tax increases will go to pay for it, to get people back to work. Because it's very clear that if we're going to move out of these difficult economic times, we obviously have to get people back to work. We have to build the infrastructure, which we're doing. We have to upgrade the skills of the workforce, both those who are still employed and, of course, those unfortunate people who have been unemployed and who are on social assistance. If we're going to have a long-term successful recovery, those are the things that we need to do.

In order to maintain those commitments, we had to, as I say, take a three-pronged strategy: control some of the other operating spending, do the social contract and, despite the fact that no one likes to pay more, increase income taxes so we're able to do that.

I think I will just close my comments by saying that I think we took a very balanced approach in our way of trying to deal with these difficult economic times, and a progressive approach certainly on the income tax side. But this has been the goal for us: to try and get this message out to people. I understand many people are very unhappy out there. I think all of us hear that in our constituency offices: the frustration, the kind of desperation among some. There are those who want to try and blame those people who are unemployed, who say that somehow it's their fault.

We know what the record is in this province in terms of our efforts at job creation. We know that the previous

federal government did not provide the same level of support to this province as it did to other parts of the country. It's very unfortunate that this has occurred, but there's documented evidence now in terms of how the past federal government treated us. Going forward with the free trade agreement, combined with higher interest rates, combined with a higher dollar, had an extremely negative impact on this province, far more than any other province.

At the same time as all that is going on, what did we have? We had the federal government saying: "Ontario, you are a 'have' province. We're going to cap your transfer payments at a 5% increase." I believe the numbers indicate that over the time that the federal government has been doing that Ontario has lost some \$20 billion.

Mr Stockwell: On a point of order, Mr Speaker: I think we should have a quorum here if this government is planning on introducing and debating a tax bill that's ripping the money right out of the taxpayers' hands. We should have a quorum.

The Deputy Speaker: Would you please verify if there is a quorum.

Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Senior Clerk Assistant and Clerk of Journals: A quorum is now present, Speaker.

The Deputy Speaker: The member for Oxford.

1650

Mr Sutherland: I was talking about the significant job creation efforts of this government in this province during this very, very difficult time. I was talking about how the Jobs Ontario Capital program has worked very successfully in terms of helping our infrastructure. I know in my own riding the Jobs Ontario Capital program helped significantly.

I see the Minister of Community and Social Services is here. When he was the Minister of Education, he approved a Jobs Ontario Capital grant for a school in my riding, Tavistock Public School. In this school, the population had grown tremendously. It only had one set of washrooms. They had clearly outgrown the school and the number of portables. Because of the Jobs Ontario Capital fund and money specifically allocated for education, for projects that could be done in this fiscal year, that school is getting a renovation that it has needed for a long time and may not have gotten for several years otherwise.

That shows you again how the Jobs Ontario Capital program is working. It's putting people to work in the community of Tavistock. All those parents and people in the community who had come to see me and ask for help in getting their school renovation now are seeing that happen much quicker than they had even anticipated. I look forward to attending the opening of that some time in the spring.

Jobs Ontario Community Action is just a tremendous program.

Mr Stockwell: On a point of order, Mr Speaker: A quorum call, please.

The Deputy Speaker: Would you please verify if there is a quorum.

Senior Clerk Assistant and Clerk of Journals: A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Senior Clerk Assistant and Clerk of Journals: A quorum is now present, Speaker.

The Deputy Speaker: The member for Oxford.

Mr Sutherland: Thank you, Mr Speaker. I was talking about the very successful Jobs Ontario Community Action program. As you know, the government made a commitment to community economic development in a couple of ways, first of all with the Community Economic Development Act, Bill 40, which will allow new mechanisms for community economic development; we also made a firm commitment through the Jobs Ontario Community Action program, which is \$300 million over a three-year period. We fast-tracked \$31 million of those dollars, and I was very pleased to announce at the end of July a grant of almost \$1 million to my community for a Jobs Ontario Community Action project.

The town of Ingersoll, two years ago, had a fire in its downtown core area. Since that time, the downtown has unfortunately deteriorated and some more businesses have left. Because of this fire and the fact that they haven't been able to rebuild on the fire site, you have this big hole in the downtown core. That's obviously not very attractive for customers and shoppers.

The town had responded to this by being ready, by being prepared. They had put a committee together, they had a consultant and they had developed a downtown revitalization strategy. As a result of this Jobs Ontario Community Action grant, they will now be able to implement that downtown revitalization strategy. We gave close to \$1 million. The town will match that with close to \$1 million to implement this downtown revitalization strategy, improve the roads, improve the infrastructure and hopefully allow some type of arrangement to occur for development to take place where this fire occurred and caused a great deal of difficulty.

I also want to say that the opposition sometimes says we're not very effective in managing things and we can't get things done quickly. Well, the comment from the town was that we caught them a bit by surprise, because they'd never seen a program come together this quickly and announcements made and money forwarded to a community as quickly as the Jobs Ontario Community Action dollars were. So we responded very quickly in terms of helping the town of Ingersoll. They are now in the process of carrying out the different projects that were highlighted under their Jobs Ontario Community Action proposal.

Not only is the town going to benefit—the actual jobs created right now are certainly very helpful—but the long-term fact is that the downtown core will be revitalized. It will look more attractive. New businesses will come into the downtown core. That's obviously going to create more employment in my community, and of course

as new businesses come in and more people continue to shop in the downtown core, we'll see a long-term spinoff effect. That is one good example of how the government can help support private industry, can help support the creation of longer-term jobs, through this grant to help improve the downtown core of Ingersoll, which will result in more businesses starting up there and will result in more employment and will strengthen the retail base in the town of Ingersoll.

So we see some new ways, new methods, not methods that the third party had come up with, not methods that the opposition party had come up with, but real methods that this government has come up with that respond to the needs of local communities through Jobs Ontario Community Action, real programs and real methods that respond to the training needs of local companies.

During constituency week, I toured a couple of companies, a couple of manufacturing companies actually, in my riding that are using Jobs Ontario Training. One is CMW Manufacturing. They make parts for truck axles and truck brakes. They make them for all the major truck manufacturing companies: Mack Truck, Freightliner, Kenworth, and they have now just reached a deal with a Japanese company. They have found that the Jobs Ontario Training program has helped them to develop a new and very effective training program and their company is expanding and they will be looking at taking on more people. I was pleased to tour their operation. They are in the process of moving to larger facilities to meet their growing demand and their new market, but they're working very effectively.

Another company I went and toured was Whitelaw Machinery. They are a very old and well-established company in my riding. Actually, they've been in business going back to before Confederation. They make the rollers and the grinders for flour mills and they take them and regrind them once they get dull so they'll grind more effectively. They have taken on Jobs Ontario Training individuals and that is helping them, because they have now expanded into the American market and are doing very effectively in terms of exporting into that market. Jobs Ontario Training is helping them.

After touring a couple of these plants, what I also did was meet with some of the participants. These participants talked about the fact that some of them hadn't had a lot of training, had not had a lot of formal education, and how the Jobs Ontario Training gave them new hope, gave them new opportunity, got some of them off social assistance. It gave them that sense of pride, that sense of self-worth that all of us and all members of our society want to have.

Jobs Ontario Training is working very effectively in my riding and I know it's working very effectively in many other ridings. I know when you talk to many of the participants, they get quite discouraged about the negative comments they hear about the program from some members of the opposition.

We also know, besides the Jobs Ontario programs, the very effective wide range of Jobs Ontario programs that this government has implemented to respond to the difficult situations.

We have also come up with new, innovative ways. Of course, as you know, Mr Speaker, we finally have Bill 17 passed, the Capital Investment Plan Act, which will create new ways for the infrastructure to be developed in transportation, in water and sewage, in creating construction jobs, in telecommunications etc. Those are new, innovative ways. They will allow the government to go forward with infrastructure quicker. They allow for a greater role by the private sector in helping to develop them.

1700

We can think about the transportation area, the Highway 407 project, which I know many members wanted to see done much quicker. Because of the way the capital plans work now, each year you must have a new allocation before going ahead with the next section of construction. Of course, there are large demands on the transportation capital budget across the province, and if we put all those moneys into doing the 407, we may not have as much money for the other parts of the province.

Through the new Transportation Capital Corp, we'll be able to set up a system that will allow for an ongoing source of revenue coming in to ensure that construction can go forward at a much, much quicker rate than had been carried out by any of the previous governments and that will allow the 407 construction, which will allow and support many other types of economic development to go on in those areas.

We certainly know those people and certainly heard from the good members who represent some of the Durham region and the Oshawa area. They have certainly been advocating for Highway 407 to go through at a much quicker rate.

Those are more examples of what we're doing in job creation, how we're changing government, how we're making government more effective and getting it to work in a different way, in modern methods, methods that respond to communities, that respond to companies, that respond to their training needs, that respond to individuals' needs.

I just want to say that I think we're doing a very good job in terms of that. We're developing a progressive taxation system. I know people aren't happy with it, but that is necessary.

I'd like to move adjournment of the debate.

The Deputy Speaker: The member for Oxford moves the adjournment of the debate. Shall the motion carry?

All those in favour, please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. The motion is therefore carried.

Orders of the day.

Hon Brian A. Charlton (Government House Leader): I'd like to propose a motion that the House sit beyond 6 o'clock this evening.

The Deputy Speaker: Shall the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Mr Stockwell: On a point of order, Mr Speaker.

The Deputy Speaker: There's nothing out of order. The question has been asked. The motion has carried.

Mr Sutherland: I think for the most part I've talked about the types of things that this government—

Mr Stockwell: On a point of order, Mr Speaker: Is he continuing the debate from last speaking?

The Deputy Speaker: He had adjourned the debate. He stood after the motion, and then I called orders of the day. Therefore, the proceedings are absolutely normal.

Mr Sutherland: Continuing from where I left off, as I said, I tried to highlight what this bill is all about. It does involve income tax increases. No one is particularly happy with that, but it does allow us to maintain our services. It does allow us to make significant—and I mean significant—investment in Jobs Ontario projects in capital, in training, in homes, in all those areas; in Jobs Ontario Youth as well. Those are the types of things that we need to put people back to work, to improve our infrastructure, to upgrade the skills of those individuals.

As I say, some people may not be happy with that. The long-term impacts of the type of moves that this government is doing and the type of investments we're making in people and communities is very significant in the long-term health—

Mr Stockwell: On a point of order, Mr Speaker: I don't think there's a quorum.

The Deputy Speaker: Would you please check if there is a quorum?

Senior Clerk Assistant and Clerk of Journals: A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Senior Clerk Assistant and Clerk of Journals: A quorum is now present, Speaker.

The Deputy Speaker: The member for Oxford.

Mr Sutherland: Mr Speaker, I'm going to wrap up my remarks. As I say, significant investments in Jobs Ontario—capital, training, youth, homes, community action, those types of things—are going to make our province stronger, make our infrastructure stronger, make our constituents better-trained individuals so that we can respond and grow as we come out and we have economic renewal occurring in this province.

The Deputy Speaker: Questions or comments?

Mr W. Donald Cousens (Markham): If the government really had to collect more money from the people, the first thing it should do is become accountable to us on the way it's misappropriating and mispending money. Possibly the honourable parliamentary assistant could elaborate on what the government has done to address some of the concerns people are raising.

There is welfare fraud. Social assistance fraud across the province is rampant. The auditor has said there's \$750 million there. If you were to even touch some percentage of the existing social assistance fraud, that would be less money you have to raise through the increase in taxes.

Health card fraud: How much is that costing Ontar-

ians? There are one million more cards than there are people. Who is it who's coming in to collect this service? How many people are coming into the country and taking advantage of our free health care system? Why don't you do something about that misappropriation of funds?

Putting up bilingual highway signs: How much did that cost, and why did that money have to be spent right now? We're talking about people in Ontario who don't even understand the signs on the highway, and now you've made further changes there. Why don't you start facing up to moneys the government is spending that don't need to be spent? There's no one in this House who's coming clean on saying how much money it is you're putting out the back door on things like that.

Why don't you tell us how much money you've given to people like Robin Sears? How much was he taking and spending in a month? Once you're into the trough with the New Democrats, you can just go out there and spend any amount of money without accountability.

Michael Decter, one of your great big shots who came into the province of Ontario: How much money did he blow while he was a deputy minister? Carlton Masters: How much money did you waste on that person?

When I look at you coming into this House and saying, "We need more money," you need more money because you're stealing it from the people of Ontario. You're mispending it. You're misappropriating. You're rotten, you're wrong and you can't come and say you need it, because you haven't begun to correct the problems. You're creating more problems than any—

The Deputy Speaker: Your time has expired. Questions or comments?

Mr George Mammoliti (Yorkview): I'll try and do this a little better than the last speaker, without—

Mr Cousens: On a point of order, Mr Speaker: I don't know how any person can say he's any better than any other member in the House. We're all in a position in this House that we are created equal.

The Deputy Speaker: Order.

Interjection.

The Deputy Speaker: Order. The member for Markham, please take your seat.

Mr Mammoliti: Mr Speaker, he just blew 30 seconds of my time, but I'm not going to dwell on it.

First of all, I want to commend the member from the government side in terms of what he said. He talked about progressive tax. He talked about infrastructure. He talked about Jobs Ontario. He talked about how the government is spending the money. I tell you, when you hear the negative comments that are going to come from the other side in a couple of minutes, they're upset because the money, government money, is going to create work. They're upset that it's going to the average person out there. They're upset that it's going to the construction worker, the person with the boots on. They're upset because the government money is not going to the rich.

1710

Mr Stockwell: On a point of order, Mr Speaker: There are rules in our standing orders that say you cannot

impute motive. The member has imputed motive, suggesting that we as a party are upset that construction workers are going to get money. That is laughable.

The Deputy Speaker: Please, please, please.

Mr Mammoliti: Again, another 20 seconds were blown off my time. I think it's done on purpose. They're upset because government money is not going to subsidize the rich. If that were the case, and if my colleague were to speak about subsidizing the rich, they would not get up, as they're doing today, on points of order. They would not get up, as they're doing today, to complain—

Mr Cousens: On a point of order, Mr Speaker: I have some concerns that the honourable member is again imputing motive. I would ask him to rethink his position.

The Deputy Speaker: Order, please.. There's no point in raising points of order all the time. If you don't know what a point of order is all about, I'll take the time and explain it to you. I know you know what a real point of order is all about. The member for Yorkview, I give you another five seconds.

Mr Mammoliti: We're not giving to the rich; we are creating work. The member from the government side spoke very clearly on how the government is doing that. They're upset we're not subsidizing—

The Deputy Speaker: Thank you. I hope the House will cooperate and will try to maintain order.

Mr Bernard Grandmaître (Ottawa East): It's those five seconds that really got me, you know? They really got me.

If I may try and respond to the member for Oxford, I know it's not an easy job being the parliamentary assistant to the Treasurer, because you get the dirty job of introducing bills like increases in your income tax. I realize all of this.

But when you look at Bill 31, and you look at section 4 of the bill and it says that the rate of Ontario personal income tax will increase to 58% for 1993 and subsequent years, this is wrong. It's actually 61%, from 55% to 61%, because 3% of the increase in the personal income tax was retroactive from January to July and another 3% from July to December. We're talking of an increase from 55% to 61%, and that's an 11% increase, not a 3% increase.

Mr Stockwell: On a point of order, Mr Speaker—

Mr Grandmaître: Now, you're ruining my time.

Mr Stockwell: —I think we need a quorum here.

The Deputy Speaker: Would you please verify if there is a quorum.

Senior Clerk Assistant and Clerk of Journals: A quorum is not present, Speaker.

Mr Grandmaître: I need five seconds.

The Deputy Speaker ordered the bells rung.

Senior Clerk Assistant and Clerk of Journals: A quorum is now present, Speaker.

Le Vice-Président : Monsieur le député, vous avez 22 secondes.

M. Grandmaître : Alors, peut-être que je pourrai faire du bon sens dans 22 secondes. Let's go back to

what the member for Oxford was saying was a "progressive tax." How can you call a retroactive tax progressive? This is a regressive tax. This is what I call it. I know that you have a difficult time to explain why this retroactivity. I realize that you have to try and sell this to people of the province of Ontario.

I realize my time is running short. The member was talking about the great job creation programs that were introduced, and all at the same time the deficit was increasing at a tremendous—

The Deputy Speaker: Your time has expired. Questions and comments?

Mr David Johnson (Don Mills): The member for Oxford has indicated that the people are unhappy about an increased tax. I submit that is a mild understatement. The people in the province of Ontario are outraged by the increased tax.

You know, the sad thing is that the tax was intended to increase the revenues of the province of Ontario by \$1.1 billion, and in actual fact now we see a publication just put out within the last few weeks, Ontario Finances, which indicates that the revenue from the personal income tax will actually be down. It's now forecasting personal income tax of \$13.9 billion this year in the province of Ontario, whereas the original budget forecast \$14.3 billion, so there's a loss in personal income tax of over \$400 million.

Why is that? Well, it's no great secret. People are being taxed to death. The economy is going underground. When you add more and more taxes on, it becomes self-defeating. That's what we're seeing. We have had deputations before councils of this Legislature by, for example, the Ontario Home Builders' Association. They have indicated that 41% of home renovations are now being done underground; 17% of new home construction is involved with the underground economy. These are payments under the table.

Why is this happening? Because this government is bringing in new tax after tax. People don't think it's right and they won't pay it. In 1991 the rate was 53%, in 1992 the rate was 54.5% and in 1993 the rate is supposedly 58%, but in actual fact people are now paying 61% because it's all being collected in half a year. It's too much and the people won't stand for it and they won't pay it.

The Deputy Speaker: Any further debate? The member for Oriole.

Mr Randy R. Hope (Chatham-Kent): On a point of order, Mr Speaker: Doesn't he have a two-minute reply?

The Deputy Speaker: You're right. The member for Oxford, you have two minutes to reply.

Mr Sutherland: I thank my colleague the member for Chatham-Kent. I'd like to thank the member for Yorkview and the member from one of the Ottawa ridings—I forget the exact one.

Mr Stockwell: On a point of order, Mr Speaker: I just don't think there's a quorum.

The Deputy Speaker: Would the clerk check if there is a quorum.

Senior Clerk Assistant and Clerk of Journals: A quorum is present.

The Deputy Speaker: The member for Oxford.

Mr Sutherland: As I was saying, I'd like to thank the members for Yorkview, Markham, Ottawa East and Don Mills. I'll try and address some of their concerns.

First of all, to the comments the member for Don Mills made about personal income tax revenue being down, as reported in the second-quarter Ontario Finances, that number being down is not a result of these tax increases. That is the result of the receipts from the 1992 tax year that have come in far lower than were originally projected. That is why that figure is down. That is from the 1992 tax year, not the current situation.

The member for Markham talked about welfare fraud and health care fraud. I can only say that both ministries are dealing with them. We're carrying out significant reforms that are going to improve both systems: the launching of Turning Point as the key component for welfare reform. Significant efforts have been made in terms of health care reform to make it more effective and develop more community-based services, to make the whole system more cost-effective but also to enhance the services in many different communities, to make those services more effective. That's what the government has done.

Again, I want to say that spending in this province has been under control in the last two to three years. The problem has been that revenues have gone down three years in a row, which has not occurred since the Depression.

The Deputy Speaker: Thank you. Your time's expired. Any further debate?

Mr Stockwell: Move adjournment.

Mrs Elinor Caplan (Oriole): Why? I'm pleased to participate in the debate today on Bill 31, which I think is a very important piece of legislation. The reason it's important is that it deals with the tax policy of the government as a part of the NDP's economic strategy for the province of Ontario. This bill was tabled in June 1993 as part of the provincial budget.

The reason I believe it is important is that the province

at this particular time, as we know, is hopefully emerging from what has been one of the most difficult and deep recessionary times in recent memory.

I've said this on other occasions in this House. I had the opportunity last year to make the same point and I'm sorry the Premier and the Treasurer and the government didn't listen to me then. They obviously are going to hear the same thing today and I hope perhaps they will listen better today. In fact, I believe now is the wrong time to be increasing taxes in Ontario. The province is undergoing a very fragile economic recovery, one that must be nurtured if it is to be sustained. Instead, we know this government plans to attempt to take \$1.1 billion out of the economy in new personal income taxes, because of the higher tax rates which are contained in Bill 31.

Removing the money from the economy at this time, taking \$1.1 billion in the new and additional tax revenue out of the economy is, in my view, economic mismanagement of the highest order and will dampen not only consumer spending, but will hurt business confidence at this very crucial point in our recovery.

At this point, I would like to move adjournment of the House.

The Deputy Speaker: The member for Oriole moves the adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

This will be a 30-minute bell.

The division bells rang from 1723 to 1753.

The Deputy Speaker: Will the members please take their seats.

The member for Oriole has moved the adjournment of the House. All those in favour of the motion will please rise and remain standing.

All those opposed to the motion will please rise and remain standing.

The ayes are 0; the nays are 86. I declare the motion lost.

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of Ontario**

Third Session, 35th Parliament

**Assemblée législative
de l'Ontario**

Troisième session, 35^e législature

**Official Report
of Debates
(Hansard)**

Tuesday 23 November 1993

**Journal
des débats
(Hansard)**

Mardi 23 novembre 1993

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

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Tuesday 23 November 1993

Report continued from volume A.

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INCOME TAX AMENDMENT ACT, 1993
LOI DE 1993 MODIFIANT LA LOI
DE L'IMPÔT SUR LE REVENU

Continuation of debate on the motion for second reading of Bill 31, An Act to amend the Income Tax Act / Loi modifiant la Loi de l'impôt sur le revenu.

The Deputy Speaker (Mr Gilles E. Morin): I recognize now the member for Oriole.

Mrs Elinor Caplan (Oriole): Perhaps for those people who are watching, it might be a good opportunity for me to explain to them what is actually happening in the House right now.

Interjections.

The Deputy Speaker: Please take your seat. Order. Those who wish to leave the House may do so now.

Mrs Caplan: If I can, let me try and explain to people who are watching what's happening here, because I think it is important that the general public and those who are interested in these debates—

Interjections.

The Deputy Speaker: Order. It's impossible for me to hear anything. I would ask your cooperation, please.

Mrs Caplan: Mr Speaker, some time ago, as you know, the NDP majority government changed the rules of procedure in this House, which effectively limited debate for members of the official opposition. Part of the debate now as we consider this tax bill, Bill 31, and the wrangling that is going on relates to the frustration that we opposition members feel, not only because of those rule changes but because of the way the government House leader and the members of the government caucus are not only impeding debate but attempting to play what I believe are silly and inappropriate games in this House of important democracy.

Earlier this afternoon, the government House leader, who has been a member of this House many years, for a long time, and should know his traditions well, attempted to table a motion that was clearly out of order. The opposition House leader made his case, and in fact that motion was deemed to be out of order. In spite and in a fit of temper and bad behaviour, the government House leader has made debate on Bill 31 a very significant issue, and that is because in the midst of debate on Bill 31 the government backbencher, the government parliamentary assistant, the member for Oxford, moved adjournment of the debate in order that the government could extend the sittings of the House in an attempt—

Interjections.

The Deputy Speaker: Order. There's too much noise in the House.

Mrs Caplan: —to circumvent the democratic processes and to act in a petulant and arrogant way, which does not bespeak the importance of the bill before us.

As I stand here at this time and speak to an important

bill in this Legislature, Bill 31, which is killing jobs in this province, hurting the economic recovery of this province, I'm saddened to say that we have a government led by the House leader at this time, who is making debate in this House even more difficult because of the technicalities and the theatrical antics he is attempting to bring forward into this House to stifle debate.

I feel that Bill 31 is much too important a piece of legislation to see the government respond in the way that it has to this point in time. I would hope that all members of this House would pay attention at this particular time to what I, as the critic for revenue, as the lead speaker on the debate on Bill 31, have to say, because while this bill has been in effect since the last budget, while the people of Ontario and the businesses of Ontario have suffered because of the policies of this government, there is still an opportunity for the Finance minister, who is here in the House at this time, to reconsider the flawed policies of the NDP and the NDP government and amend Bill 31 so that we can support and nurture the fragile economic recovery which is taking place in the province at this time.

1800

It's my view that the key to a successful economic strategy is to create conditions under which individuals and businesses will create jobs. My constituents in the riding of Oriole are concerned about their jobs and the jobs that their children will need to sustain their independence and have a bright future here in the province. They are concerned about the effects of increased taxation. They know that what increased taxation means to them is that they will have fewer dollars with which to purchase those things they need and that they would like to purchase, and they also know that increased taxation in Ontario at this time is hurting business and the business sector, where we know the overwhelming majority of jobs are created.

So Bill 31, as I said, is misguided fiscal policy, it is misguided economic policy and it is certainly misguided tax policy, because at this time the last thing Ontario needs is to see additional money taken out of the economy by additional tax revenues.

To make my point, I would like to point out to the government what has happened as a result of its fiscal policy. We know this is not the first time we have seen tax increases. In fact the cumulative effect of the tax increases are having a very damaging effect on the revenues of this province. Instead of seeing new taxes result in increased revenue, exactly the opposite has occurred.

Let me point out what I mean. In 1990-91, when Bob Rae assumed the government, the total tax revenue in that fiscal year was \$33.5 billion. That's in rounded figures. In the estimates for 1993-94, the total tax revenues are estimated at \$31.2 billion. Just over \$31 billion is the estimate, and some would suggest that this estimate is in fact a very rosy, somewhat too high estimate of revenues. I would agree that the estimate of \$31.2 billion is overly

optimistic. But what's interesting is that the difference between \$33-some billion—the exact number is \$33.615 billion—and the estimate of \$31.220 is \$2.5 billion, approximately. That's \$2.5 billion less in revenues that the province is estimating it will collect in fiscal year 1993-94 compared to what it actually collected in fiscal year 1990-91.

Let me tell you what has happened as a result of the government's taxation policy in that same period of time. We know that because of the tax increases in the budgets of Bob Rae and Floyd Laughren and the NDP, the accumulated tax increase in the province is over \$3.5 billion, the effective tax increases were \$3.5 billion. We see \$2 billion in this budget alone and we see \$1.5 billion out of last year's budget.

Yet what has the result been? What can be causing this? You have a \$3.5-billion increase in accumulated tax, yet in actual revenues you have a decline of \$2.5 billion.

What that tells you is that businesses are going bankrupt, people are losing their jobs and the tax policy of this government is having exactly the opposite effect of the one they had hoped for. Rather than increasing revenues, in fact you have seen revenues decline in absolute dollars over the period of the NDP government. So their tax policy is misguided, it is wrong. It's not in the interests of Ontarians. It certainly is not in the interest of economic recovery.

What's interesting as well is to look at where these declines are occurring. Between the 1990-91 fiscal year and the fiscal year of 1993-94, the personal income tax revenues in this province have declined from \$15.4 billion in 1990-91 to \$13.9 billion estimated for 1993-94, and I believe that's overstated.

The corporate tax in this province has declined from \$3.8 billion to \$2.9 billion in the same period. It's my view that is as a direct result—and you don't have to be a rocket scientist or an economist to figure this out—of bankruptcies and job loss. Businesses have closed down so their corporate profits are down, so we have lower corporate income tax returns to the province, and personal income tax is way down because there are a million and a half people unemployed in this province.

So tax policy becomes extremely important, and I believe the Treasurer is making a terrible mistake when he discounts the impact of his taxes on the economy, on individuals and on businesses. He is hurting business with his tax increases. He is hurting the individual who would rather be spending. Frankly, if consumers had that money available in their pockets, they would be able to buy more. They could be out this Christmas shopping and spending that additional money, which would stimulate the economy. Rather than taking that money in additional taxes, the Treasurer could have left that money in the economy, which would have stimulated and supported economic recovery.

Yes, Mr Speaker, average Ontarians are paying a very high price for Bob Rae's economic mismanagement in this province. My constituents in the riding of Oriole are telling me how they are feeling overburdened, heavily taxed. In fact, they're also telling me that they don't feel they're getting value for their tax dollars.

Maybe that also accounts for the huge increase in the underground economy. The committee on finance and economics is exploring that issue at this very time. People are openly concerned about the level of taxation because they know that twice in the past two budgets of the NDP government, the NDP has increased personal income tax rates and boosted the high-income surcharges.

The reason people have less money to spend is because the government of Ontario, the NDP, has not been able to keep its own spending under control. There is evidence I'd like to present at this time to members of this House that will make the case and make it soundly. Not only is it mismanagement but it is incompetence, and I can understand the frustrations of my constituents who are paying taxes and are trying to make sure they keep their jobs and feed their families and struggle to pay their rents and their mortgages. I understand how they're feeling and I share their frustration.

Let me tell you what happened. In the first budget tabled by the Minister of Finance, the Treasurer, Mr Laughren, he said very clearly that the NDP was not going to fight the recession by concerning itself with expenditure control. Whereas in his budget of May 1990-91 Mr Nixon had a spending plan of 6.8%, which by many was seen as generous, Mr Laughren's spending plan by the end of 1990-91 was a full 14%. What happened the next year? In 1991-92 fiscal year, at a time when Ontario was in the middle of the worst recession in many decades in this province, what was the spending plan of the NDP? It was 12%.

1810

In 1990-91, we saw a spending increase rise from the predictions and the plan of Mr Nixon and the Liberal government, which was 6.8%, to a full 14%, and then on top of that 14% base increase, an additional 12%. Where did that money go? We know it went primarily to wage increases in the broader public sector, which have trickled through the entire economy, and were the reason and the justification for the tax increases that were contained in the first NDP budget.

We know, and the rest is history, that the effect of those two years, the first 18 months of NDP government and the horrific mistakes they made, resulted in a 30% rate of growth in the expenditures of this province. That was huge economic mismanagement at a time of recession, and the result of that was to see the deficit spiral out of control to reach unprecedented levels of \$10 billion and more. Last year it was \$12 billion. This year the government is struggling, it says, to keep it under \$10 billion, but we know the real number is higher than \$10 billion. Today, the taxpayers of Ontario and the economy of Ontario are suffering because of the terrible mistakes that Bob Rae and his Finance minister and his government made in those first 18 months.

What's particularly tragic is that low-income Ontarians, many of whom reside in the riding of Oriole—there are many low-income people living in the riding of Oriole, which spans the whole economic spectrum. I've often described the riding of Oriole as a microcosm of Ontario; 5% of everyone, people in every socioeconomic bracket. I know that the low-income people in the riding of Oriole

are hurting particularly because they know they are being forced to pay more taxes because of NDP incompetence. People living in Oriole, earning as little as \$20,000 a year, must pay higher income tax and higher retail sales tax in these tough times.

Asking the least-well-off in our society to pay more to reduce the government's deficit as a result of its mismanagement clearly, in Bob Rae's words, is "just simply unfair." I say to the Premier, how could you? You've broken every one of your promises, you've jettisoned every one of your principles, but how can you hurt low-income Ontarians when in fact they're the ones on whom the recession has taken the greatest toll?

In the riding of Oriole, we see a very large percentage of single moms, many of whom are struggling to make ends meet. To them, this income tax increase is especially painful. The NDP tax hikes in Bill 31 more than wipe out the increased assistance to low-income Ontarians.

We know the government has increased the amount of assistance for low-income Ontarians under the Ontario tax reduction program by \$30. However, the government considers that a family of four earning \$23,000 falls within the definition of "low income." A family of four earning \$23,000 is paying more income tax in this legislation, Bill 31, and that is just fundamentally wrong.

The extra tax bite, because of this budget, amounts to \$60 for a family of four earning \$20,000. I mentioned just a moment ago that the government considers that a family of four earning \$23,000 falls within the definition of "low income," yet Bill 31 adds \$60 income tax to a family of four earning just \$20,000 a year.

As I said, the government has wiped out any of the extra assistance that could help needy families with its own policies, its ill-advised tax grabs contained in Bill 31. In other words, as I've said so often in this House, the government says one thing and it does the opposite. In this case, the government has given with one hand \$30 in its Ontario tax reduction programs and it is taking \$60 back in Bill 31, and that's wrong.

I remember the impassioned speeches from Mr Laughren, the now Treasurer and Minister of Finance, as he stood on this side of the House as a member of the official opposition. I listened to him as he talked about the need to assist low-income families in the province of Ontario. I agreed with him then and I had always wished we could have done more than we did, but I was proud because the Liberal government was at least going in the right direction. The problem is that we've now seen that direction reversed and we see low-income people paying higher taxes as a result of Bill 31.

The other thing that happens is that Bill 31 not only hurts individuals, I think Bill 31 also sets a climate and a tone which makes it less attractive to businesses to move to Ontario. Businesses employ people, and the people who are here look at the tax environment and are concerned that Ontario is becoming less competitive as a tax environment.

I'll state very clearly that I believe we still have competitive advantages here. Our health system is a significant competitive advantage as we compare our-

selves to our neighbours in the United States. Our education system has been a very significant competitive advantage. Our level of taxation, when you consider the other elements of our social policy, have always attracted business as a place to come.

But the cumulative effect of tax increases, the cumulative effect of the policies of the NDP government, whether it's been labour amendments, Bill 40 and others, or whether it has been tax policy or many of the anti-business messages that have been going out, have sent a very wrong signal. People in Ontario want jobs, people are hurting, and this government doesn't seem to be hearing that message.

Unlike the NDP government, I do not believe a balanced fiscal policy would permit increases in taxes at this time. I don't believe their policy is balanced, I don't think it's reasonable and it certainly isn't achieving its objectives. We have seen a history from the NDP since 1990-91 fiscal year of personal income tax increases, surtaxes, increases in fees and levies. The effect of all of these tax grabs and revenue increases, the net effect of all of these, has been to undermine confidence in the economic future in this province.

Every day I talk to people in my constituency office; I meet people when I'm out and about; they come to see me here at my office and I'm saddened by the despair, by the concern and by the general lack of hope. More and more people say to me: "Elinor, how long until the next election? How soon can we get rid of these guys? We know they're hurting the economy. We know their taxation policy, their spending policy, their social policies are not what we expected from the NDP. We are frustrated and disappointed and we want them out." I agree with those people who express that concern, because I can understand their disappointment.

1820

Certainly the Agenda for People said nothing about the kinds of policies—gambling. That was never in the Agenda for People. That ran totally contrary to anything that Bob Rae had ever offered. We heard Bob Rae and Floyd Laughren and the front bench of the now government stand in opposition, defenders of the ordinary working person in Ontario, and what they've done is destroyed the jobs of those people. It's a sad time for Ontario that this is the result.

Unfortunately, the number of jobs lost on an annual average basis since Bob Rae and the NDP took power in Ontario is a net annual average of minus 41,000 jobs annually. I compare that with the record of the Liberal government of the years 1986 to 1990, and it was 112,000 jobs each and every year that was created during that time frame.

Granted, this is a time of recession, but I believe Ontario has suffered and suffered more because of the policies of the NDP government, that the job loss has been greater and the damage has been greater than it ever was anticipated or ever dreamt would happen to the province of Ontario. I believe Ontario has been and is fundamentally sound and strong and that with a government that expressed that kind of support and confidence, whose taxation policies and economic policies fostered

confidence in the economy, you would see the kind of growth and the kind of economic support that might have attracted business to Ontario.

But one of the things I know from speaking with business leaders is that businesses that might have been attracted to Ontario may have been discouraged by the province's high corporate and personal tax levels, including, I might add, the NDP government's recently announced initiative to bring in a corporate minimum tax. I'd like to use today's debate on Bill 31, which deals with income taxes, to plead with the Treasurer to please stand in his place and say that he will not do that, that he will not bring in a corporate minimum tax.

Just standing in his place and saying that, I believe, will give business greater confidence in Ontario, and we may well see more business activity than we will if businesses are saying no. They say to me: "Elinor, we're not going to invest in Ontario as long as we have an NDP government that is threatening more taxes. We're not going to invest in Ontario as long as we have an NDP government that is increasing our deficit. We're not going to invest in Ontario as long as there's an NDP government which is increasing personal taxes and surtaxes at the rate this NDP government is doing, because we don't think Ontario's a good place to invest."

I hear that from businesses. I'm sharing it with you. That's what they are telling me. They're in a hold, wait-and-see attitude.

We know as well, and there is a strong body of opinion that is expressed by both individuals and businesses, that the tax burden in the province of Ontario has reached a limit, that what has happened is that our once-competitive tax advantages have been eroded and that we are on the verge of becoming uncompetitive in a global environment where, as businesses look to invest, they look at the tax rates compared with the neighbours, as well as the services and so forth which are provided.

I believe that sound fiscal management requires that we do reduce our burden of deficit and that we make sure that the level of debt in this province is manageable. But government cannot hope to restore the province's financial help if it persists in increasing the burden of taxes on individuals and business alike, and that is exactly what Bill 31 does.

Bill 31 is An Act to amend the Income Tax Act, but in fact it raises personal income to an all-time high. If I can, in the time given to me, I'd like to go into some detail about what the bill actually contains so that people watching this debate will understand why I am so opposed to Bill 31, why I am so opposed to tax increases at this time, particularly because of the fragile recovery, and also because people need confidence and tax increases do not give people confidence.

Why do I say that? When you take money from people in the form of personal income taxes, they don't have that money available to spend. In fact, they see less on their paycheque, and when they see less on their paycheque and they know that they have fixed expenses—rents, mortgage, heat, hydro, telephone, all of those fixed expenditures; they have to feed their family and clothe their family—they are making decisions to

make do on those things that can wait another little while. They're making do even if the kids' shoes are a little bit tight. They're making do if the pants are a little short on the children. They're making do because that extra tax money is going to the province instead of the consumers' wallet, which they could then go and spend. That's what consumer confidence is all about.

I'd like to take a few minutes and go over Bill 31 so that people watching understand exactly what it does.

Bill 31 hikes Ontario's statutory income tax and surtax rates. It also makes a series of technical amendments to the existing Income Tax Act. The technical adjustments made by this legislation mainly concern changing titles and making some alterations, such as calling the Ministry of Treasury and Economics the new Ministry of Finance. The bill makes some changes so the provincial Income Tax Act will be consistent with the federal act.

In federal budgets, we know that Ottawa, sometimes without consultation with the province, will alter definitions or make changes to its own income tax acts. Ontario usually mirrors those kinds of changes, and rightly so, because it's important that we be as clear and consistent as we can be in definitions. Also, it's helpful, particularly to businesses and individuals who are making out their tax returns, that there be a consistency of approach. I see the parliamentary assistant nodding. I think it's important to let people know that those changes are contained in this bill.

Now, I want to make the statement that I would be very willing to support a change in name of the ministry from the Ministry of Treasury and Economics to the Ministry of Finance, and I would be very willing to support those kinds of technical amendments and adjustments that would make it easier for businesses and individuals to understand the tax changes and to bring some consistency between provincial definitions and approaches and federal definitions and approaches.

But that's where my support for this bill ends. If the government would bring those sections of the bill into a separate piece of legislation, I would happily support that legislation, because I think we have to reduce the burden on business and simplify things for business.

Mr Chris Stockwell (Etobicoke West): On a point of order, Mr Speaker: This is a really important debate and it's equally as important that there should be a quorum here to hear this debate.

The Deputy Speaker: Would you please verify if there is a quorum.

Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Senior Clerk Assistant and Clerk of Journals: A quorum is present, Speaker.

The Deputy Speaker: The member for Oriole.

1830

Mrs Caplan: I'm pleased that there's now a quorum present so I can continue on with this very important debate. As I was saying, I think it is very important that we reduce the red tape, the hassles and the burden on

business and individuals when it comes to filling in tax forms and making sure the federal and the provincial levels of government work closely together, coordinate their efforts, to try and not only eliminate the kind of duplication that we often see, but also, when it comes to filing forms, that they should be simplified. I think that's one of the things we could do to foster an environment that provides an attractive place for businesses to invest. However, as I speak to Bill 31 I say that should be done but tax increases should not be done.

We can do a lot of those things cooperatively with the federal government and with other levels of government that would particularly assist businesses and individuals as they fill out their forms. We in fact could reduce the forms. It seems to me that both individuals and businesses are overgoverned with paperwork and that the numbers of forms they have to fill out for all levels of government are onerous and time-consuming and confusing.

I was pleased to say that I could support some of those aspects in this bill that in fact bring consistency in approach between the provincial and the federal levels. However, as they are part of the package of this bill, I won't have the opportunity to support those initiatives. If I tried to support those initiatives, because they're included in this bill, I'd have to also support the horrific tax increases that are included in the bill, and that I will not do. But I wanted to be on the record that I do support anything which will streamline, clarify and assist individuals and businesses as they report or make their income tax statements to the government.

One of the things many people don't realize is that Ontario personal income tax rates are adjusted as a percentage of federal income tax payable. In the NDP's May budget, the government increased Ontario's personal income tax rate as a percentage of the federal income tax rate.

Let me tell you what is contained in Bill 31. This is what the budget stated and this is what is contained in Bill 31: Starting July 1, provincial income tax will be collected at a rate of 58% of basic federal income tax payable for 1993 and subsequent years. Under Bill 31 the net increase the government expects to collect in 1993-94 as a result of the tax increase is \$960 million. That was information contained in the budget of May 1993. That means that just in personal income tax alone the tax hit is almost \$1 billion. Because of the higher tax rates, in a full taxation year the provincial government will get an additional \$840 million in higher personal income tax.

I'd like to explain what that means, because I know that's confusing for people watching. You see, Bill 31 sets the rate at 58% for the full year of 1993-94, but the government is actually collecting the higher income tax for this fiscal year at a rate of 61% of basic federal tax. Such a level allows the new Ministry of Finance to receive a full year's worth of tax revenue in the last six years of 1993.

Hon Bob Mackenzie (Minister of Labour): The last six years of 1993?

Mrs Caplan: In the last six months of 1993. I thank the Minister of Labour.

Let me repeat again, because it's important, that at this level it is not at the rate of 58% that the government is collecting personal income tax as a percentage of federal tax revenue; this new level of taxation increase allows the Ministry of Finance to receive a full year's worth of tax revenue in the final six months of 1993. The effect of that is retroactive taxation.

I've had calls to my office from irate and angry constituents who understand not only what that means but the precedent that sets. It's a precedent of double taxation during one year, because this budget was not established until May. They backed it up and said, "We're going to collect that as though this tax was started in January." In fact, it is a double burden to the taxpayer and it sets a precedent for retroactive taxation which I believe should be of concern not only to the taxpayers of this province but to legislators, because this Parliament and our democracy are based on precedents. I've said to the NDP before, you will rue the day in the future when the very precedents you've brought forward are continued in a way which perhaps had never been contemplated.

As I mentioned, this budget increase is the second hike in the provincial income tax rate in the past two years.

Mr Stockwell: On a point of order, Mr Speaker: I would ask for a quorum call.

The Deputy Speaker: Would you please check if there is a quorum.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Deputy Speaker: The member for Oriole.
1840

Mrs Caplan: As I was saying, this budget increase, the one in Bill 31, is the second tax hike in the provincial income tax rate in the past two years. Last year, the government increased the provincial tax rate to 54.5% of basic federal income tax. In the 1992-93 budget year, the tax rate was supposed to increase to 55% of the federal tax rate in 1993. That's what a lot of businesses and individuals did their planning on. The 58% tax rate contained in Bill 31 is a three-percentage-point hike in the rate compared to the 55% rate which was established in last year's provincial budget, and I would point out that the rate established in last year's provincial budget was an increase over the previous year.

Bill 31 also increases Ontario's high-income surtax to 20% of provincial personal income tax in excess of \$5,500, up from the current rate of 14%, and 10% on income tax in excess of \$8,000, up from 6%. The new system has been in effect since July 1 even though this legislation has not yet been passed.

As with personal income tax rates, the high-income surtax has been changed twice. It has been charged and changed twice in the past two budgets. In the 1992 budget, the Treasurer lowered the income threshold where a person begins paying the surtax to approximately \$51,000, down from \$84,000. Let me repeat, if you earn \$51,000 in the province of Ontario, you are considered

rich by the NDP and you are required now to pay a surtax of 20% on the basis of your income.

Under the new rates the province expects to receive \$180 million in 1993-94 in higher taxes as a result of the surtax. In a full taxation year, the government predicts that the tax increase, that new revenue, will be \$280 million.

I would remind the government that the effect of its tax increases has resulted in job loss. The effect of their tax increases has been to cause business bankruptcies, to slow economic growth in recovery, and the net result has been lower revenues to the provincial treasury. Those are the facts.

The impact of these two income tax changes, the personal income tax and the surtax changes, is very significant. They differ between taxpayers depending upon income and economic circumstances. Under Bill 31 a single person making \$70,000 a year will pay an extra \$705 and a two-income family of four with a combined income of \$60,000 will pay another \$225 to the government. Only single tax filers with incomes of \$20,000 will pay more income tax under Bill 31. It is only single tax filers with incomes of \$20,000, and they too will have to pay income tax increases under Bill 31.

At this income level, single-earner families of four, two-earner families of four and senior couples are the only ones who don't see their taxes increase. However, because of the broadening of the retail tax base, which we saw within Bill 30, all of those groups, even those at an income level of \$20,000 or less, will be impacted by tax increases of the NDP government.

There are many people who say, "Well, the surtax, that's only fair. Rich people"—I remind you the NDP definition of rich is \$51,000—"in this province should be paying more." The net effect of those surtaxes on those earning \$51,000 is that there will be reduced consumer spending in this province, and that is a negative effect on the provincial economy.

I don't believe people earning \$51,000 are rich. I think today they represent a declining group in our society. Many people who have been employed for many numbers of years who thought they had job security and who may be earning in the \$50,000 range are feeling insecure, and those people who are paying significantly more provincial income tax, significantly more surtax and significantly more sales tax are going to have less money available to spend at Christmastime on presents for their children and their family, or on basic necessities: food, clothing and those things which make life just a little easier, particularly during a long and cold winter.

The fact that they will not be out spending because they're paying more in taxes means that the retailers, those who are selling the goods, and those in the service sector who provide services to the people of province of Ontario will continue to hurt as retail sales remain low. As retailers, they tell me business is slow.

That is not helped, in fact it is hurt, by continued increases in personal income tax. So Bill 31 is not worthy and deserving of support because it does not assist in creating an environment where jobs will flourish. It does

not create a climate of consumer confidence, and I've explained at some length why it doesn't do that. It sends out the wrong message to business in this province.

I believe there are many things the government could be doing to create that environment which would give individuals confidence, which would give businesses confidence and which would give potential investors confidence that Ontario's economy will be strong again. There are many things that the government could be doing, should be doing, and that I wish it was doing.

The one thing that the government should not be doing is increasing the tax burden on individuals and businesses. Bill 31 is not only misguided, but Bill 31 is harmful to the Ontario economy.

As part of the discussions on Bill 31, I think it's timely and appropriate that we take a look at what the NDP record is in the province of Ontario and perhaps compare it. As to the words I frequently hear shouted across this floor from NDP government members, members of the government caucus, some of the things they say are: "Well, what did you do? You had five years." So I think this debate is an important time, if I can, to put those comparisons on the record.

I'll use the years 1986 to 1990 because we assumed the government in the middle of the fiscal year—it was actually three months into it, in May—and the NDP assumed government in 1991, so I'll use the calendar years for my comparisons. Actually, if you look at the fiscal years and take only those portions that actually belong to the Liberal government versus the NDP government, what you'd find is that in fact the Liberal record is even better than what I'm about to put on the record here today.

What was the unemployment rate? I see the Minister of Labour shaking his head. Minister of Labour, you know that the unemployment rate during the years of 1986 to 1990 averaged 5.9% in the province of Ontario under a Liberal government. What's the unemployment rate under an NDP government between the years 1990 and 1993? It's 10.4%; that has been the average unemployment rate and we know the real unemployment is much higher when you factor in the number of people who have stopped looking for work.

I mentioned before how many jobs were created on an average annual basis. We know that under a Liberal government between 1986 and 1990 the number of jobs created was 112,000. What was the NDP record? A reduction, a loss of 41,000 jobs annually, on average. These are crude examples of the economic mismanagement and a comparison. It is an answer to those who shout across to me: "What did you do? What was your record?"

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The real average GDP growth per annum between 1986 and 1990 under the Liberal government was 3.3%, average annual real GDP growth; under the NDP, it has been 0.3%, on average. I contend that while the NDP will argue, justifiably, that the recession has been broader than just Ontario, I believe, as I've said, that Ontario has suffered and suffered more because of the policies of the

NDP than we would have if we'd had any other government that understood the need to restore confidence, to give business and individuals the kinds of public policies that would encourage job creation and investor confidence. What did we see from the NDP? We saw 0.3% as real annual GDP growth since they assumed office in 1990.

Deficits: Let's just take a look at what the average deficit was between the Liberal government of 1986-90 and the NDP government of 1991-93. The average annual deficit was \$1.9 billion, compared to the NDP's average annual deficit of \$11.1 billion.

I want to point out that Bob Rae has said that his goal, the goal of his government, is to balance the operating portion of that budget by 1998. I want you to know, for the record, that Bob Rae inherited a fully balanced budget in 1989-90, in the last full year of the Liberal government, and the Provincial Auditor has attested to that. The Liberal budget of 1989-90 was the first fully balanced budget in over 20 years. We had balanced operating budgets in 1988, 1989 and 1990. Try as hard as they would—

Interjections.

The Deputy Speaker: Order. There are questions and comments after the speech is delivered, and I would suggest perhaps that you wait until that time occurs.

Mrs Caplan: There seems to be some debate. What I'm saying is absolutely correct and accurate. I'm going to read into the record the report from the Provincial Auditor and what he had to say about the books of the province of Ontario. It says in our 1991 annual report, this is from the Provincial Auditor's report: "...we reported on various factors associated with government deficits in general, as well as specific comments related to Ontario's deficit. The purpose of this section is to provide an informational update."

This is directly out of the Provincial Auditor's report. "Definition: A government's deficit represents its excess of expenditure over revenue in any given year. A government's accumulated deficit equals the total of annual deficits, less any annual surpluses."

I want everyone in this House and those who are listening to this debate to pay very close attention to the next sentence from the Provincial Auditor's report.

"Ontario has had only one surplus in the last 20 years (year ended March 31, 1990). For the year ended March 31, 1991, Ontario's deficit was \$3.0 billion, and its accumulated deficit was \$38.4 billion."

The Provincial Auditor goes on to say this about the 1991 deficit: "The 1990 budget, which was tabled on April 24, 1990, forecast a surplus of \$30 million for the year ended March 31, 1991. The annual deficit, as stated, was \$3.029 billion, a variance of \$3.059 billion from budget.

"The major factors contributing to this variance were:

"—the extent of the recession, which was obviously not foreseen at the time of the budget;

"Total revenues were down by approximately \$1.1 billion due primarily to the influence of the recession on

taxation revenues. Excluding special payments, total expenditures were up by approximately \$1 billion, with the increase in social assistance payments the major contributing factor.

"—special payments which were not provided for in the budget.

"Special payments aggregating \$924 million were made regarding the Ontario teachers' pension fund (\$196 million), Urban Transportation Development Corp Ltd (\$407 million) and the Stadium Corp of Ontario Ltd (\$321 million). The nature of these payments is explained in sections 4.4 and 4.5 of this report."

What the Provincial Auditor has said here is that even with all of the policy changes of the NDP when it assumed office in September 1990 and the policy changes which resulted in a deficit of \$3 billion by March 1991, at the end of that fiscal year, as a result of their 14% increase in spending and their spending plan, they still had an operating surplus at the end of 1991. That's what is significant, and let me explain the significance of that.

The capital budget for the province in that year was in excess of \$3 billion. It was about \$3.2 billion. Bob Rae inherited a balanced operating budget, and the Provincial Auditor has attested to that.

Hon David S. Cooke (Minister of Education and Training): No, he didn't.

Mrs Caplan: That is the truth. That is in the Provincial Auditor's report, and whether you like it or not, those are the facts.

The facts also are, and I know the NDP doesn't like to hear this, that the operating budget had been in balance for the years previous back to 1987, when it was almost an operating balance. The only fully balanced budget in 20 years occurred in the province of Ontario in the fiscal year 1989-90. That's the reality. That is the truth. It is attested to by the Provincial Auditor, and for all the squawking from NDP members, it's not going to change the Provincial Auditor's opinion.

The point I want to make on the Provincial Auditor's opinion is that for the first time in the history of the province of Ontario, the Provincial Auditor refused to give an unqualified opinion as to the books of the province, as presented by the NDP government in this past fiscal year. That is a shame, but it's more than that. It's a terrible concern to me as a member of this House. It is a concern to me as a representative of over 70,000 people in the riding of Oriole. They have a right to expect that the provincial government's books will be open and clear and transparent and accepted by the Provincial Auditor as being truthful and a factual, accurate accounting of the province's financial situation.

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When the Provincial Auditor says he will not give an unqualified opinion that the province has presented factual and accurate books, then the taxpayers have a right to know where their money is going and why the provincial Treasurer, the Minister of Finance, and the Premier, Bob Rae, cannot provide that accurate statement so that the auditor, who acts in the public interest, could give them an unqualified opinion.

That is the shame of the NDP. It is a first in the history of the province, and I'm not going to let this government forget it. For all of their rhetoric, for all of the damage they have done to this economy, for the damage they have done to the credibility of the province of Ontario, having the Provincial Auditor refuse to attest to the veracity of the books of the province is a shame the magnitude of which has not yet been fully understood.

How can business and investors have confidence in this province when the Provincial Auditor will not attest to and give an unqualified opinion on the state of the health of the province's books? How can anyone have confidence that this government is being open and accountable when the Provincial Auditor will not give an unqualified opinion that your books are honest? I'm angry and frustrated and I'm speaking on behalf of my constituents in the riding of Oriole. They have a right to expect better.

When you look at the growth overall in the debt of this province, you can see why people are worried. During the years of 1986-90, there was an average percentage growth in the debt of the province of 5.1%. That was considered by anyone who looked at the province as being affordable and manageable.

What we know is that the test of, "How much debt?" is how well you can afford to pay your interest payments, and at that point in time, during the years 1986-90, the percentage of debt, the cost of debt servicing, the cost of the debt as a percentage of revenue, was under 10% and that was considered fiscally responsible, fiscally prudent. It resulted in the province's AAA credit rating being restored under a Liberal government, and that's something of which I am particularly proud.

What has been the average percentage growth in debt under the NDP during the years 1991 to 1993 and how does it compare to the Liberal record of 5.1% average rate of growth? It is 23.7% as an average annual rate of growth of the debt in the province of Ontario. That's why the province's credit rating has been downgraded twice. That's why the province has been placed on credit watch, because our debt has become unaffordable and our debt payment has become problematic.

I say to you as I stand here today that if we could have a change of economic policy and direction—

Mr Alvin Curling (Scarborough North): A change of government is what we need.

Mrs Caplan: As the member for Scarborough North says, yes, we need a change of government, but I believe this government in the remaining two years of its mandate, and I hope it will be shorter, could begin at least to understand what so many people are telling it about the damaging effects of its fiscal policy.

I want to again quote the Provincial Auditor—

Mr Stockwell: On a point of order, Mr Speaker: A quorum call.

The Deputy Speaker: Would you please check if there's a quorum.

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Deputy Speaker: The member for Oriole.

Mrs Caplan: I was about to quote the Provincial Auditor, because I do believe his opinion is important. I'm very concerned that, for whatever reason, the members of the NDP caucus don't seem to value the importance of the Provincial Auditor's statements. The fact that the Provincial Auditor has not attested to the books is of concern to me and it certainly should be of concern to the NDP members opposite.

On page 14 of the Provincial Auditor's report of 1991, he clearly stated that Ontario has had only one surplus in the last 20 years and that was the year ended March 31, 1990. We know that under the Conservative governments there were 15 straight years of deficits. We know as well that each year in office the Liberal government reduced the deficit every year. Ultimately, the first surplus was produced, as attested to by the Provincial Auditor, March 31, 1990.

One of the things that I want to say again is that there has been some discussion here, and I can see people are concerned about the level of the debate. But I think it's important that this be on the record at a time when we're discussing a tax bill which is hiking taxes, a tax bill, like Bill 31, which is increasing the tax burden and threatening Ontario's competitive advantage.

The public has a right to know what the Provincial Auditor has had to say and also what Floyd Laughren and what Bob Rae have had to say from time to time. We know that there was a prediction of a second budget surplus at the time the election was called in 1990. I just read into the record the fact that by the end of that fiscal year, in March 1991, that projected surplus had become a deficit. Under NDP policy, it had risen to \$3 billion. Why did that happen? The Provincial Auditor explained it this way—and he provides that explanation and I've referred to that.

But in effect, paraphrasing what he said was that the extent of the recession, which could not have been foreseen at budget time, reduced revenues by \$1 billion, expenditures were up \$1 billion. It's that expenditure that was up \$1 billion that I think is a very important number because, while there were contributing factors due to social assistance, there were also contributing factors which were wage increases that were negotiated very quickly with Bob Rae and his government in the fall of 1990 when they assumed office.

Those wage increases had an escalating factor as they were built into the base of the provincial budget. They were reflected the following year when we saw a 12% rate of growth in budget. That's one of the reasons that we are seeing the government now raising taxes at a time when I believe that's the wrong public policy.

There were some statements made by Treasurer-Finance Minister Laughren that I think are important to put on the record during this debate as well. The Finance minister, Mr Laughren, provided a very good explanation on October 12, 1990, when he was asked how the

finances could have taken such a dramatic downturn over such a short period of time.

I quote Floyd Laughren: "I don't think anybody lied. I don't think our Treasury officials did anything other than give us their best predictions." That was Floyd Laughren in October 1990.

Mr Charles Harnick (Willowdale): On a point of order, Mr Speaker: I do not believe we have a quorum present.

The Deputy Speaker: Would you please check that there is a quorum.

Clerk Assistant and Clerk of Committees: A quorum isn't present, Speaker.

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The Deputy Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Deputy Speaker: The member for Oriole.

Mrs Caplan: In the short time that I have remaining, I'd like to put on the record the fact that I believe Bob Rae should have known better and in fact was informed not only about what the Liberal policy position was but what he stated, and I'm going to quote him, in the pre-budget reports of 1990-91 when he was the leader of the official opposition. This is what Bob Rae had to say at that time. I believe that this quote reflects the reason that he made the mistakes he did in those first crucial 18 months in government. This is Bob Rae:

"The Ontario government has reacted to predictions of an economic slowdown by dropping its Liberal pretence and showing its true Conservative nature. The Liberal government is now spreading the message that 1991 will be a year of fiscal restraint. The Liberal majority on the finance committee agrees with this Conservative philosophy and has recommended a course of restraint.

"The New Democratic Party challenges this defence of the status quo by calling on the government to implement reform policies needed to bring fairness to our society."

The quote that I just read into the record was Bob Rae's position as leader of the official opposition at the pre-budget hearings of 1990-91. It was that misguided notion that led him, in the first 18 months of assuming the reins of power, to increase spending at a time of recession rather than bringing about the restraint programs which had been preached by the Liberal government.

Mr Harnick: On a point of order, Mr Speaker: I don't believe there's a quorum present.

The Deputy Speaker: Will you please check if there's a quorum.

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Deputy Speaker: The member for Oriole.

Mrs Caplan: I believe that as a result of Bill 31 we will not see an increase in total tax revenues into the treasury of this province. I believe that notwithstanding

the huge tax hikes of the last two years, the continued trend of reductions in personal income tax and corporate profits and corporate income taxes will continue to decline, but it's personal income tax that I'm particularly concerned about because that's what Bill 31 is all about.

We have already been told there has been a major shortfall in revenue that has been in the approximate range of \$600 million to \$700 million from personal income tax revenues. That means the revenues of the province are down from personal income tax. That is likely a result of job loss and absolute wage reductions in the province or of people leaving the province, but we also know that this adjustment on the 1992 tax base will likely mean further downward reductions for 1993. The concern I have is that the budget estimates in 1993, as I stated earlier in my remarks, are overly optimistic and will affect the economic stability in this province.

If there's a message—I know how difficult it is to do budget predictions. I remember, as a member of the government, that most experts, both within the Ministry of Treasury and Economics at the time and most of the economists in the banking industry and many economists in academia, were predicting that Ontario would not enter a recession at all. Those who did predict a recession for Ontario were predicting that it would be short and shallow. What we have seen is that not only did Ontario enter a recession, but it has been deep, it has been long and it has been painful, and we're coming out of it very slowly, more slowly than anyone predicted.

One of the reasons I put on the record today the facts and the figures and the quotes I did is not because anybody is expert in predictions. We know predictions are exactly that: They are an estimate at a point in time of what you think is likely going to happen. I think we have to do a better job predicting. I wish we had crystal balls that would make it that much easier.

I know that today in Ontario, people are looking with a mixture of anxiety and uncertainty at their future. They are worried about their children and the opportunities their children will have in the province of Ontario. During this recession bankruptcies in Ontario have reached record levels. The unemployment rate has been higher than 11%: unheard-of, record levels of unemployment and job loss in the province of Ontario.

While the recession has been declared officially over, most of us are not feeling the effects of the recovery. That's because it has been slow and sluggish and painful, and I believe it has been slowed by the policies of the NDP government.

There are many people today who don't have jobs and who desperately want an economic environment which will provide them the opportunity to work. People don't want social assistance; they want to work. People want jobs, and it is the responsibility of the provincial government to create a climate where jobs can be provided and flourish in the private sector. Government has a responsibility to enter into that kind of cooperative partnership, sending out those kinds of messages that say Ontario is open for business, that Ontario will maintain its competitive advantage, that Ontario is a good place to do business.

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We must see an end to anti-business rhetoric and we must see an end to anti-business economic policy. We must see an end to the kinds of tax increases, as contained in Bill 31, which are hurting individuals—those people who still have jobs—who are paying income tax and who are struggling to make ends meet.

So many people with jobs have seen their wages decline. So many people with jobs see their neighbours without jobs. They want their neighbours to have a job. They don't want to have to pay higher taxes to support their neighbours. They want to see their neighbours working and being productive in our society, and they want their children and their neighbours' children to have opportunities.

As I conclude my remarks on Bill 31, I urge the government to reconsider its misguided policy. I urge them to listen to the people. I urge them to listen to myself and to my colleagues who are saying to them: Your tax policy is killing jobs in the province of Ontario. Your tax policy is taking money out of the economy that could increase consumer confidence. Your tax policy and economic mismanagement are slowing the economic recovery. Listen to what we are saying to you and act now. Act now to change your course.

As I complete the debate on Bill 31, I say to the Treasurer that he has an opportunity—this is second reading of Bill 31—before this bill is proclaimed into law to give the people of Ontario, to give my constituents in the riding of Oriole, a little bit of hope and stability and security by not raising taxes at this time. The way to increase the confidence of the people of this province is to give them a stable economic environment. Holding the line on taxes is an important first step in doing that.

I've had the honour and the privilege of representing the people of Oriole since 1985. I'm very proud of the record of achievement, the opportunity that I've had to influence public policy. I must say to them and to you that I've been frustrated in the last little while because I sense that the NDP is not listening and doesn't want to listen. I'm doing what I can to give them good advice, to give them alternatives and suggestions. I despair when there are so few in the House who pay attention to that advice, when the Minister of Finance and the Premier, Bob Rae, are not interested in hearing what members of the official opposition have to say that is constructive and helpful.

I will not be supporting Bill 31 because I don't believe it's in the interests of my constituents in the riding of Oriole and I don't believe it's in the interests of the people of the province of Ontario.

Thank you for allowing me to participate in the debate today.

Mr Curling: Once again the member for Oriole has expressed the views that are cheered by millions in this province. I can tell you, Mr Speaker, she speaks with authority, not from guesswork like the government over there; an individual who has held the position on Management Board, who has watched and managed the finances of the government in those days.

It's painful, I know, to her as she watches the wasteful way this government is spending this money. What she tries to tell them all is that this is the wrong time for increasing income tax in Ontario. Will they listen? No.

She speaks very well also for the concern of my constituents in Scarborough North. She warned them, as a matter of fact, that the people are feeling the pinch and it is not the way to go about things. They go about changing their names. It's like shuffling the furniture around the home and really believing that they've changed their home. All they are doing is changing titles to their positions and making things, as a matter of fact, worse. It's just despicable, the manner in which this government has carried out its affairs.

The other day there was an article in the paper that showed there are more middle class on welfare, people who have earned a good income and have no jobs. This government has driven the unemployment rate to a rate that today is completely unacceptable.

I want to say, for those who are sleeping over on the government side, for those who refuse to attend when they extend the time, to take the time, some time when they're rested, to read the comments by the member for Oriole, who has expressed her views so well. As a matter of fact, if they could just follow 5% of what she said, the government would be in a position to manage this province in a better way.

Mr David Johnson (Don Mills): The message that the member for Oriole has conveyed today is, I think, an excellent one and one that I do hope the government will listen to.

The anomaly here is that when the tax rate is increased, the tax revenue actually goes down, and we're seeing that here today. What happens is that jobs are lost, businesses go bankrupt and work goes underground, so tax revenue is lost. That certainly is a valid message. This budget will probably cost Ontario up to 50,000 jobs, the income tax and the other impacts of the budget that was implemented earlier this year.

The message we're getting is that you cannot increase taxes; you must reduce the burden—another reference from the member for Oriole—on businesses, reduce the paperwork, reduce the red tape, eliminate Bill 40 and reduce all these other impediments to business in the province of Ontario.

Interjection.

Mr David Johnson: I must say, though, over the heckling, that the message would be more believable if it didn't come from the Liberal ranks. I look at the spending that took place from 1985 to 1990, when the Liberals were in power. The average increase in spending during the Liberal years in the province of Ontario, adjusted for inflation, was 5.5% over and above the rate of inflation. Each and every year during the Liberal years, the spending increased by over 5.5% in the province of Ontario. The revenue generated per capita increased from \$2,900 to \$4,300 for every man, woman and child during the Liberal years in the province of Ontario. So there's a message that is coming from the wrong source. They spent the money.

Mr Randy R. Hope (Chatham-Kent): I listened to the member for Oriole speak. She talked first of all about the rule changes and then she wasted 30 minutes ending the debate. She didn't even want to talk about the issue. She asked for a 30-minute bell, and then went on to explain to the general public what had just happened. Well, what had just happened was that she wasted 30 minutes of debating time that could have been used by other members.

She uses the Liberal record. I remember the increase to 8% in the sales tax, and she talks about the taxes that this government has put out. Let me talk about the 8% tax and how it affects even my child, who is receiving an allowance. When you give him \$5 a week as allowance, it even affects him, because when he bought something, it went from a 7% sales tax to an 8% sales tax.

When they talk about the economic situation that was there, first of all, a lot of people in the province of Ontario were not faced with the free trade agreement that was closing plants left and right in rural Ontario. Unemployment hadn't escalated. Then the Tories came along with a 7% GST on top of the 14.5% manufacturing tax and they hit that to the general public. That was all forgotten in the dialogue.

The member for Oriole talked about Liberal spending and the Liberals' way of controlling. That member travelled southwestern Ontario and promised every community a hospital: spending, spending, spending money, which the member totally ignores.

When she uses the issue of the Liberal record, let's take a look at the economic situation that was there. I remember David Peterson standing on a manure spreader talking about how he was going to save jobs and everything else.

People ask me why I wear cowboy boots in here. It's because I just listened to over 90 minutes of stuff that we find in the fields today. It's called natural fertilizer. That is why today most people in this House wear boots, because of the stuff that was talked about today.

I wish the member would reflect on the issues that are being put forward today and understand those issues that are being put forward today and understand those issues instead of that.

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Mrs Margaret Marland (Mississauga South): I think what is really important to understand in this province is the fact that we have some historical events taking place with the Bob Rae socialist party in government. For the first time in Ontario's history, the Provincial Auditor has refused to give an unqualified endorsement of the provincial government's public accounts.

Erik Peters said he could not give an unqualified endorsement because the accounts understated the 1992-93 deficit and because of some concern about the modified cash basis of accounting used by the government of Ontario. Yet we've got a bill today where we're talking about increasing the personal income tax of the people of this province.

I think it's absolutely deplorable that this government doesn't know how to operate and get its books in order.

I'm quoting the Provincial Auditor, because that is not a political, partisan statement. In his 1992-93 report on public accounts, he noted that had deferrals and special payments to the teachers' pension fund been accounted for in the year in which they actually occurred, both spending and the accumulated deficit last year would have been \$528 million higher than reported.

We've got a situation where this government doesn't even tell the people of this province what is truly going on. We have a situation where all they think they have to do is think up another way, another form of taxation, another formula for a cash cow in order to get more money for their misused spending.

The Deputy Speaker: Further debate.

Mr Hope: On a point of order, Mr Speaker: Doesn't the member opposite have two minutes to respond to it?

The Deputy Speaker: She has, but she's not here and she obviously doesn't want to take advantage of it. Therefore, it's further debate.

Mr Stockwell: Mr Speaker, I'd like to thank you for the opportunity to speak to this very important piece of legislation. Bill 31 is one of the largest tax grabs in the history of the province of Ontario. It has been borne out with adjusted numbers, whole numbers, percentages etc. This tax grab that has been approved, and which through legislation we are debating today, by this socialist government is one of the largest in the history of this province when it comes down to taxes and the sheer volume of dollars that this government is trying to extract from the citizens of this great province. I suggest that I have no interest in supporting any bill that is going to give this government any more money of the taxpayers' dollars to spend on fanciful ideas and wrongheaded approaches.

I will note that when this government came into power, between 1990 and 1992, the arguments you've heard today about restraint and constraint and organization of the dollars and priorities etc, when you folks took office, the amount of dollars that were being spent by this province—and I don't say the Liberals are perfect. In fact, I think they spent too, but let's be clear. In 1989, just over \$40 billion was being spent by any government in the province of Ontario. Since you've come to office, and I only go to 1992, from just over \$40 billion this government has increased spending to nearly \$55 billion. So don't sing me any songs about holding the line and priority spending and, "We've got a constraint-minded government." You've gone from just over \$40 billion to \$55 billion in three short years.

There haven't been priorities set, because I recall vividly the first budget this government brought down. The first budget this government brought down called for a \$10-billion deficit and an increase in government spending unparalleled during an economic recession. It was a huge and horrible mistake. I think that now, when you look back to those few short years ago, a high percentage, practically all the members across the floor will admit that was a huge and horrible, disastrous mistake you made by increasing government spending, the billions and billions of dollars that you did in those years.

That is where this whole platform, this whole house of cards begins to break down, because if you hadn't taken such an irresponsible approach in that first budget, we wouldn't be in the kind of economic mess we're in today, because all your problems have been predicated by that huge jump in spending that you took in that first budget.

Mr Kimble Sutherland (Oxford): No, no.

Mr Stockwell: I know some will say no because they refuse to see the obvious. Even the Minister of Finance and the Premier themselves would admit, I believe, that first budget had to be the largest mistake. They will admit that was the largest mistake you have made.

To allow you to comprehend my argument, I think I should give you half an hour. I move adjournment of the House.

The Deputy Speaker: The member for Etobicoke West has moved the adjournment of the debate.

Mr Stockwell: No, the House.

The Deputy Speaker: Just give me a minute.

Mr Stockwell: What's the holdup, sir? I will continue speaking while you figure this out so I don't lose any time.

The Deputy Speaker: In this instance, and the rule is very clear, when a motion for the immediate adjournment of the House has been defeated, no other such motion shall be made unless some intermediate proceedings have taken place. You could move the adjournment of the debate, not the adjournment of the House.

Mr Ernie L. Eves (Parry Sound): On a point of order, Mr Speaker: The member for Etobicoke West has moved, as I understand it, adjournment of the House approximately some hour and a half of debate, after the member for Oriole has concluded her remarks, since the last motion to adjourn the House. There is a precedent I believe on several occasions in this very Parliament since the 1990 election where this has happened several times in one afternoon.

Interjection: No.

Mr Eves: Yes, it has. As a matter of fact, there has been intervening business. The intervening business is, if you need it, the hour of debate that the member for Oriole has participated in since then, the three or four members who have participated in question and answer sessions, so there are four more members who have spoken, plus some of the remarks of the member for Etobicoke West. There have been at least five speakers since this last motion to adjourn the House was made.

Hon Brian A. Charlton (Government House Leader): On a point of order, Mr Speaker: I'd like to rise first of all to support your ruling. The traditions here have been quite clear and it seems strange that you've not only made a ruling but you provided the member opposite with an alternative that he could clearly use which has been the tradition here. The House has spoken clearly in a vote that rejected the adjournment of the House. Mr Speaker, I hope you will maintain your ruling.

The Deputy Speaker: I will accept the adjournment of the debate; I will not accept the adjournment of the House.

Mr Stockwell: I will continue then, Mr Speaker. I would comment that I find it rather unbelievable considering the fact that in this Legislature, in this House, in the few short years I've been here—

Mr Eves: Move adjournment of the debate.

Mr Stockwell: Okay, I move the adjournment of the debate, Mr Speaker.

The Deputy Speaker: Mr Stockwell has moved the adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 1941 to 2011.

The Deputy Speaker: Will the members please take their seats.

Mr Stockwell has moved the adjournment of the debate. All those in favour of the motion will please rise and remain standing.

All those opposed to the motion will please rise and remain standing.

The ayes are 0; the nays are 50. I declare the motion lost.

Mr Stockwell: Mr Speaker, I'll move adjournment of the House.

The Deputy Speaker: Mr Stockwell has moved the adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 2013 to 2043.

The Speaker (Hon David Warner): Would all members please take their seats. The member for Etobicoke West, Mr Stockwell, moved adjournment of the House.

All those in favour of his motion will please rise and remain standing until counted by the table.

All those opposed to Mr Stockwell's motion will please rise and remain standing until counted by the table.

The ayes being 0 and the nays 47, I declare the motion lost. The member for Etobicoke West has the floor to resume his speech on Bill 31.

Mr Stockwell: I want to get into the auditor's report on the NDP books. Why I think that is a good issue to become involved in at this point is because they're asking the taxpayers in the province of Ontario to come up with an extra \$1 billion to \$2 billion in tax hikes, and I think we should take a moment at this time to imagine exactly why they need this money and exactly how well they've used the money that they've collected during the past three years and the comments that the auditor has on these issues and concerns.

The auditor had come forward with a pretty interesting

point of view that the government members don't particularly care for, but it is a rather stinging indictment of this government's handling of the fiscal matters in this province over the last three years.

I read that the issue is the Provincial Auditor's refusal to give an unqualified approval to the province's 1992-93 public accounts, which vindicates the concerns of the PC caucus, in my opinion, about the government's accounting methods and its call for a clearer, more comprehensive set of books.

The facts of the case are simply this, and I will read them out, "For the first time in Ontario's history, the Provincial Auditor has refused to give an unqualified endorsement of the provincial government's public accounts."

To me, as I said, that is a rather stinging indictment of this government. It seems rather unbelievable that a government spending upwards of \$55 billion of taxpayers' money, going into debt of \$10 billion, \$11 billion, \$12 billion, \$13 billion a year, would have the audacity to go back to the people looking for more tax dollars to spend on their behalf when they can't even get their books endorsed by the Provincial Auditor, who is appointed by this government.

If the Provincial Auditor's not prepared to sign off on the government's books, it seems to me that the government should put its books in order before they seek any more money from those taxpayers who work so hard to get it in the first place.

Erik Peters said he could not give an unqualified endorsement, because the accounts—and I want to be clear and I want to underline this—understated the 1992-93 deficit and because of some concerns about the modified cash basis of accounting used by the government of Ontario.

What in essence the auditor's saying is this government knowingly and wilfully understated the amount of money that it spent in the 1992-93 books. They understated this because they wanted to be sure that the deficit figures they were trying to bring in would come below that magic \$10-billion figure, as if \$10 billion is some kind of magical number for fiscal ability to handle dollars and cents.

He has said that in fact this government with its \$500-million deferral has understated the deficit dollars on the books and has left him in the very awkward position of not being able to sign off the government's books.

If this auditor cannot be prepared to sign the government's books, it must leave the taxpayers in this province in a very, very precarious situation. That situation is: How do they know that the money that's being spent at this level of government is being properly administered, properly accounted and properly spent when the auditor that this government appointed is not prepared to say he believes proper accounting principles have been followed.

In his report on the 1992-93 public accounts, the Provincial Auditor said he noted if they had deferrals—they, being the government—and special payments to the TPF, the teachers' pension fund, being accounted for in the year in which they actually occurred, both spending

and accumulated deficit last year would have been \$528 million higher than reported. The auditor later told the public accounts committee on October 21, 1993, that his office concluded this treatment of pension payments was an inappropriate shift of expenditures between two fiscal years.

I would say to this government, when they're asking for a billion new dollars in taxes, that this was not new information to them when they announced this budget. I know I personally stood in this House and alerted this government to the trickery that this kind of thing would mean.

What it meant was they postponed a payment to the teachers' pension fund by 91 days in order to keep their artificial deficit figures below the magical—and I don't know why—\$10-billion figure. This has caused the auditor a great deal of concern and he's itemized them in the auditor's report that he has said has caused him not to be able to give a clean bill of health to this government's accounting procedures.

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I know how we can argue about a lot of things from these people across the floor. I understand how you think that spending money sometimes is going to create prosperity in the province and I understand how you think Jobs Ontario is working and we don't. I understand also that you think some of the plans you've put in place are fiscally responsible and we don't. I also understand how you think having a \$12-billion or \$13-billion or \$14-billion deficit is good fiscal management and I don't.

But what I don't understand is how you can look us in the eye and argue about fiscal management and fiscal responsibility when a non-partisan, third-party auditor says categorically that you're not dealing with the fiscal responsibilities that government should deal with.

In fact, moving \$500 million off-book, off-debt, in-year to keep an artificial rate on your deficit—I don't know how anyone could make the argument that this is a sensible, practical approach to fiscal management in any government in any place in the world. That's why I have a very great concern about allowing these people to take any more money out of the taxpayers of this province when they haven't accounted for the money they've taken to date. I think that's a reasonable request, a very reasonable request.

The auditor moves on. He noted that the financial statements do not report on CRF inflows and outflows, but "are not summary financial statements that would more fully report on the nature and extent of the financial affairs and operations of the government of Ontario."

I will say this: When dealing with the preflows, previous governments did the same thing. I don't think that's exactly where the auditor fell off the table when it came to signing off on these books. Previous governments did it, and it was wrong. I think a Conservative government did it between 1981 and 1985, to a far less extent, but still it was wrong. I know that the Liberal government between 1985 and 1990 also did tricks with the preflows, and that was wrong.

But you have continued this charade and taken it to

higher levels where whole dollars are greater than we dealt with in the early 1980s under the Conservative regime. That doesn't make the practice right. I think if they had maintained that practice on preflows, they may have got a stern warning from the auditor, but nothing as dramatic and to the point as what the auditor stated in his letter to the Premier with respect to the \$528 million that they chose not to use, that they chose to flow to the following year.

I will say this, and this is where I have a very serious difference of opinion with this government: When you postponed your payment to the teachers' pension fund—and that's really what it was, a postponement of payment—you readily admitted you had to make that payment, agreed that payment should have been made on January 1 and you simply postponed that payment to April 1. What was the fallout of that decision?

I look to the parliamentary assistant to the Minister of Finance. I look to you directly and I say, what is the fallout to the postponement of the teachers' pension fund? What was the fallout of that decision? I ask you to stand up any place, any time and defend that position, because, sir, you know as well as I do the postponement of that \$528-million payment cost you money. It cost you money because you had to pay an increased percentage to the teachers' pension fund to continue borrowing that for an additional 91 days. You know that and I know that.

We may debate about how much it cost you, but you would agree that it cost you some moneys. You suggest \$2 million; other sources have said \$5 million. What it comes down to is that the decision by this government to postpone that payment cost the taxpayers of this province \$2 million to \$5 million. What did we get for that, I ask the parliamentary assistant? I look at you directly because I think it's your responsibility to defend these decisions because the Treasurer's not here today.

I ask you directly, for that \$2 million to \$5 million, what service, what program was there, what road was built, what bridge was built, what was done with that \$2 million to \$5 million to benefit the taxpayers of the province of Ontario? Sir, I say to you, nothing was done with that money other than to keep your deficit artificially low so that you would look good to the great unwashed out there, the taxpayers in the province of Ontario. If you had spent that on anything, it would have been better than what you did with the money.

If you had spent it on any program, any union, a union song, a union joke class, I don't care, it would have been better than what you did with the money, because you didn't do anything with it. You simply paid increased interest rates to artificially deflate your deficit and try to fob off to the great unwashed, the public, that your deficit was really \$528 million less than it truly was.

If you believe that is proper fiscal management from a government that represents some 10 million to 11 million people, then, sir, I completely, wholeheartedly and fundamentally disagree with you. That is smoke-and-mirrors budgeting.

I've asked you to defend that decision since you've done it. I've asked the Treasurer to defend that decision since he's done it. Neither has. I suppose they haven't

because it's not defensible. That position was not defensible.

I don't think we have a quorum.

The Speaker: Would the table count to determine if there is a quorum present.

Acting Clerk Assistant (Mr Todd Decker): A quorum is not present, Speaker.

The Speaker ordered the bells rung.

Acting Clerk Assistant: A quorum is now present, Mr Speaker.

The Speaker: A quorum being present, the member for Etobicoke West may resume his speech.

Mr Stockwell: I'd like to outline some of the concerns surrounding this budget in my next few moments of comments.

Mr Len Wood (Cochrane North): Which budget are you talking about, the next one?

Mr Stockwell: No, the previous budget. Now is the wrong time, during this particular budget, to be increasing income taxes in Ontario. The province's economic recovery, which this government has been touting it seems like since it got elected, is modest at best, if modest at all. Instead, the government plans, in this particular budget, to take out an extra \$1.1 billion in personal income taxes; that's been stretched to some \$2 billion in the next budget and higher tax rates.

Removing this money to pay for Bob Rae's economic mismanagement will only dampen consumer spending and hurt business confidence at this crucial point in the recovery. Those are the comments we made when you announced this budget.

If there's any general consensus that's taken place in the last 12 to 13 months, it's that this budget you introduced that sucked all these taxes has done one thing: It generally dampened business confidence and consumer confidence and has retarded the hopeful growth in the economic performance during the last couple of fiscal years.

You shake your head no. I defy you, I defy any member across the floor to point out to me any study that has indicated that your tax grabs in the last three years have done anything except hinder the growth and hopeful growth of the performance and economic growth of this province. I defy you to show me any study, any qualified comment by a qualified economist. I defy you to show me anyone, other than yourselves as you cloister together, circling the wagons against all attackers, be it business, small and large, be it the Liberals or Conservatives, or be it your own apparent friends, the OFL. They've all categorically agreed that the taxes you've taken out of the economy have done nothing to spur or hopefully increase the productive growth in these past economic years.

Average Ontarians are paying the price for Bob Rae's economic mismanagement. I point to this: Twice in the past two budgets the government has increased the personal income tax rate; they did it again the following year, and boosted the high-income surcharge; they did it again the following year. The reason people have less of their own money is because the government cannot keep

its own spending under control. You can't.

You talked about this three-legged stool. The three-legged-stool approach, as this government said, consisted of a leg for taxes, one for cutbacks in wages and I believe service reductions is the other. You know full well from your Treasurer's comments that your three-legged stool has turned into a one-legged stool. The only place where you've actually met your projections was in the increased taxes that you called for in your budget.

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Your social contract called for \$2 billion in savings. You all know full well that you haven't made your \$2 billion in savings. You know you will never make your \$2 billion in savings considering the time of year and the fiscal period of time you have left to make those recoveries.

Low income: This is one of the most amazing things from a socialist government. They try to say this is not true but it's categorically true. Every economist, every financial house, every major player in the Ontario market has said this is a fact and I want them to listen to this. Low-income Ontarians are being forced to give more in taxes to pay for the NDP's economic ineptitude. People earning as little as \$20,000 a year must pay higher income tax or retail sales tax. In these tough times, asking the least well-off in our society to pay more to reduce the government's deficit seems somewhat unfair and that's what you did in your budget.

People making as little as \$20,000 a year were assessed tax hikes by your government. The very people who you purported to represent, who you purported to say didn't have a voice in these hallowed halls, the very people who never got a chance to have their opinions heard in this august chamber, are the same people you hammered for income tax increases; \$20,000 a year.

The government tax hikes more than wiped out the increased assistance to low-income Ontarians. The government has increased the amount of assistance for low-income Ontarians under the Ontario tax reduction program by \$30. That's what they did during this budget. The government considers a family of four earning \$23,000 to fall within the definition of low-income, but the extra tax bite because of this budget amounts to \$60 for a family of four earning \$20,000. So the government gave \$30 back to these poor people with one hand and took \$60 from them with another, and they call this equitable and fair. The government has wiped out the extra assistance that could help needy families with its own ill-advised tax grab from the very same group they were claiming to help. Unbelievable; absolutely unbelievable.

I want to review a couple of other issues that I think need to be addressed in this, and this government always likes to make the comparison.

Some of the heavier weights from our caucus are coming in and I'd like to thank the member for Carleton. He's certainly providing moral support in this difficult period of trying to fight back this socialist government's tax grabs on the people of Ontario; the member for Grey-Owen Sound has come in.

This government has made a big mistake in trying this kind of parliamentary gamesmanship. This government has made a big mistake on this particular issue today when it—I say to the member who represents Midland, whose popularity there is unrivalled, I say to these members that they made a big mistake today when they decided to extend these sittings around the clock, because if you want to start talking about taxes around the clock and your tax grabs, there will be only one loser at the end of this debate, my friends, and the loser will be you, because the people in this province are fed up. They're sick and tired of the taxes you've heaped on them. You have scorned their very existence. They are having great difficulty making ends meet and you continually, incessantly, never give them a break when it comes to grabbing everything you can from the taxpayers.

Mr Norman W. Sterling (Carleton): On a point of order, Mr Speaker: If we are going to be here this late in the evening at the behest of the government, then they could at least have a quorum here.

The Speaker: Would the table count to determine if there is a quorum present.

Senior Clerk Assistant and Clerk of Journals: A quorum is present, Speaker.

The Speaker: The honourable member for Etobicoke West may resume his speech.

Mr Stockwell: I think what I'd like to do at this point in time is to relate some numbers—

Interjections.

The Speaker: Order.

Mr Stockwell: I can't hear the member for Middlesex and I'm all the happier for that.

Mr Sterling: On a point of order, Mr Speaker: I do not see a quorum in this House.

The Speaker: We just determined that a quorum was present.

Mr Sterling: Are you counting people who are in their seats or are not in their seats?

The Speaker: We just determined that a quorum is present. The member for Etobicoke West has the floor.

Mr Stockwell: What I'd like to get into now is a comparison—

Interjections.

Mr Stockwell: I heard that comment, and I think you should call the member to order, Mr Speaker. I heard it.

The Speaker: There was an unparliamentary word used. I did not hear precisely who said it, but if it was one of the members over here, it would be very helpful if it was withdrawn so that we can continue with a proper debate.

Mr Gordon Mills (Durham East): Mr Speaker, I don't use such unparliamentary language. Therefore, I have nothing to withdraw.

Mr Stockwell: The member for Middlesex.

The Speaker: That's not at all helpful. I would ask members to try to—

Mr Stockwell: It was the member for Middlesex who said it. I ask her to withdraw.

The Speaker: The member for Etobicoke West accuses a particular member of using unparliamentary language. I didn't hear from whom it came. But as is the custom, if the member for Middlesex believes that she used unparliamentary language, there is an opportunity to withdraw the unparliamentary remark.

Mrs Irene Mathyssen (Middlesex): Mr Speaker, I would certainly withdraw. I was upset because Mr Sterling sent a member out and then tried to call quorum, and I find that offensive.

The Speaker: What was important is that you withdrew the remark. The member for Etobicoke West.

Mr Stockwell: It seems very little reason to use that kind of unparliamentary language.

I'd like to talk about the taxes this government has levied. They're often making comparisons between other provinces and about their standings with other provinces when it comes to taxes and the tax positions.

One of the most effective taxes at raising money is the personal income tax, PIT for short. I have a chart here that talks about the provincial income tax. The only non-applicable province would be the province of Quebec. If you review this, in 1988 the province of Ontario, even under the free-spending Liberal government, was the third-lowest personal income tax province in this country. But it was very close to being the lowest. During the Conservative regime in this province, it was consistently ranked near the bottom as far as personal income taxes are concerned.

One of the places where the socialists went awry in this province was assuming that there was a bottomless pit out there, assuming that they could tax people for ever, continuously, to the highest levels, and people would either continue to pay or continue to have jobs to be capable of paying. What this government has had happen is that it's run up against something called the tax wall.

How do you know when a government's hit the tax wall? It's a very simple process to find out. When a government has hit the tax wall, you can tell, because in successive budgets they raise the taxes on personal income, they raise taxes on people's earning power, and generally speaking, if a province or country has not reached the tax wall, those increases will generate them more revenue to spend in the following year.

Mr Paul Klopp (Huron): That's not necessarily true.

Mr Stockwell: That's not necessarily true, the member for Huron says. I challenge him. I challenge him directly. Right now I challenge you to tell me at any time that is not necessarily true. When you raise taxes, member for Huron, you generate more revenue. Only an NDPer would make an argument against that statement.

What has happened with this government in the last budget is that it increased taxes in the 1992-93 budget and it has now gotten fewer dollars in taxable income from the people—

The Speaker: Point of order, the member for Huron.

Mr Klopp: Personal privilege, maybe, Mr Speaker: The honourable member said he was willing at that

moment to challenge and then sit down. Please sit down and I'll gladly talk to you. But don't stand there and challenge and then keep talking. You can't do it both ways.

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The Speaker: The member for Huron does not have a point of privilege, and what would be helpful is if the member for Etobicoke West would address his remarks to the Chair.

Mr Stockwell: I was going to send over the standing orders, but they would probably be a little too cumbersome for him to read, Mr Speaker. I do challenge the member. I hope that he has an opportunity to speak to this. Maybe you can refute that point that you claim is not correct: When governments raise taxes, they generate more revenue. That's a simple fact.

Mr Klopp: It's not that simple.

Mr Stockwell: No, of course not, because you raised taxes last year and you're generating less revenue. Why? Because you've hit the tax wall. That only happens to governments that have hit the tax wall. Ask governments. You want to go ask some governments? I'll give you a couple of governments to go and ask.

Mr Wood: Your Tory cousins in Ottawa.

Mr Stockwell: Go ask Sweden, go ask New Zealand, go ask those governments when they hit the tax wall, because the day they hit the tax wall was the day they introduced budgets calling for tax increases and they generated less revenue. Why? Because people are fed up with paying taxes, or your tax hikes are so onerous they cost people jobs and they then can't pay taxes. Further, and most importantly, people start going underground to do business.

Why do they go underground? Because it's worth the risk to be caught doing business underground than it is to do business, make a dollar and pay the taxes on that dollar.

Mr Wood: The underground has been there for 30 years.

Mr Stockwell: Of course the underground was there for 30 years, I say to the member for Cochrane North. Of course it was there; but it's never been there to the extent it's there today. The percentage of business in this province taking place under the table, underground, is far greater than it ever has been in this province. Why? Because people don't think it's fair or reasonable to do business, make a fair return and pay the kinds of taxes that you insist they pay to continue living in this province.

Mr Wood: That's only your interpretation.

Mr Stockwell: That's only my interpretation? I will say to the member for Cochrane North it is not just my interpretation. It's the interpretation that is universally accepted outside of this chamber, outside of this precinct. People are saying it, they're doing it and it's happening. As long as there are members like the member for Cochrane North who choose to bury their heads in the sand and suggest it's only my opinion, this will continue to happen. It will continue to grow and continue to flourish.

Mr Wood: We've had a barter system for a thousand years.

Mr Stockwell: I say to the member for Cochrane, I plead with the member for Cochrane North, you must review your taxes, the tax structure, the onerous taxes that you've heaped on the taxpayers in the province of Ontario, because if there's one fact that should scare you, it's that you increase taxes in your budget and you generate less revenue.

Doesn't that scare any of you over there? Doesn't that make some of you wonder? Don't you think people have reached the end? Don't you think they're tired of paying taxes? When you increase taxes and generate less revenue, don't you think you've finally hit the tax wall?

I can only say it seems so plain and so obvious and so simple, but it seems to be something that this government can't grasp. But it is something that every taxpayer in this province would tell you on the proviso that you don't come forward and tell them because they're working in an underground economy.

I ask you, how many people have had any work done in their house on the last year and a half, any work at all, whether it's gardening, electrical work, plumbing or any of that work at all? What's the first thing that person says to you? The first thing is, "This is how much it's going to cost if I give you a bill." I'm not talking out of school. Everybody knows it.

What's the second thing that person tells you? They say, "But if you pay cash, it's 15% less." That's what they say. Why do they say that? Because they're doing an underground business, because they're not paying tax on their work, because the cost of doing the job, if it's \$100, becomes \$115 if they charge tax and it's only \$100 if they don't. But even better yet, if it's \$10,000, you're talking about \$1,500 in taxes. If you don't pay the taxes, you've saved yourself \$1,500 and that's taxpayers' money, that's government money.

Why are these people doing this? Because they believe the tax structure in this province is too onerous, too restrictive and too much.

Mrs Mathysen: They're not bright enough to figure out that they're robbing themselves.

Mr Stockwell: The member for Middlesex says they're not bright enough to figure out they're robbing themselves, but the sad reality is that as long as they're not caught, they're not robbing themselves.

Mrs Mathysen: Yes, they are.

Mr Stockwell: No, they're not. Because if they don't pay the \$1,500, you know what the difference is? This is what they don't understand. If they can give a quote for \$10,000, they get the job, right? They feed their kids. They pay their mortgage. They pay their gas bill. They pay their hydro bill. But if they charge this 15%, they don't get the job, they don't feed their kids, they don't pay the mortgage, they don't pay their hydro bill and they don't pay the gas bill.

I'm not saying these people are doing something that's right. I'm not saying these people are doing something that's honest. What I'm saying is these people are doing it, and as long as you have the member for Middlesex,

who blathers on, not dealing with the reality of the situation, which is that it's happening, and says that they're cheating themselves and wants to live in that fanciful fantasy land, then it will continue to happen. We'll continue to see revenues drop. We'll continue to see budgets drop. We'll continue to see this province go deeper and deeper into debt. We'll continue to see people lose their jobs, all because we're starting from the situation now where we're no longer servicing the public; we're simply chewing off our own foot because we raise taxes and drop revenue. It's a simple fact.

If the member for Middlesex chooses to disagree with that fact, I challenge her to read the budget. I challenge her to read the budget from her Treasurer, because if the Treasurer issued her a budget and she had an opportunity to read it, she'd see at first hand that the projected revenues this Treasurer called for are sadly overstated compared to the kind of revenues you're getting, even considering the kind of tax hikes you've built into your budgets. That is one of the most frightening statistics, one of the most frightening facts that we in this province face.

The argument sometimes comes forward from the other side that we are not a heavily taxed jurisdiction. I think they are absolutely not only wrong but sending out inaccurate information.

Personal income tax in 1988, under what I considered to be a free-spending government, in my opinion—I know you in the NDP didn't think it spent enough, because you sat for days on end in opposition always complaining that it should be spending more, more, more. I always complained that they spent too much, but I will say that in 1988, under what I considered to be a free-spending Liberal administration, our personal income tax stood at 51% in this province.

Let's put this in perspective: In New Brunswick it was 60%; in Newfoundland it was 60%; Prince Edward Island 56%, Nova Scotia 56.5%; Manitoba 54%. Then you got into the four good ones, the four commonly held provinces that tried to maintain a reasonable cap on their PIT. You had Ontario at 51%, Saskatchewan at 50%, Alberta, which was doing very well with no provincial sales tax and a PIT rate of 46.5% in 1988, and British Columbia at 51.5%. Those were the four provinces that everyone tried to emulate when it came to personal income tax.

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In 1988 we had a rather healthy economy, there's no doubt about it. We had an economy that was generating tons of revenue. It's very discouraging in five short years. I'll read you the new statistics for personal income tax. In the final year I believe you have to take into consideration the Liberal budget and then a series of NDP fiascos.

When we look at personal income tax, we look at Newfoundland, 69%. They're way out in front, along with New Brunswick at 62%. That's the percentage of personal income tax. Those are what you call have-not provinces, and they really and truly have not. If you've ever been to these provinces, you know full well that there is not a lot of work and the personal income tax is

oppressive. They're at 69% and 62%; then the other two maritime provinces, Prince Edward Island and Nova Scotia, come in at 59.5% together.

Then do you know who's next? The province of Ontario. From 59.5% in Prince Edward Island and Nova Scotia, the province of Ontario comes in at 58%, unbelievable growth in five years. We're now at 58% of personal income tax.

Of the other provinces, I might add one of those, Manitoba, dropped its from 54% to 52% in the same five-year period. Saskatchewan's at 50%, exactly where it was in 1988. Alberta has dropped its by one full point, from 46.5% to 45.5%. BC has gone up to 52.5%, an increase of one percentage point.

We're no longer competitive in this country. On a personal income tax basis, the western provinces would far outstrip us when it comes to how much they take off your paycheque. When people place their plants and look for job opportunities, one of the components involved in that is, how much money do I get to keep at the end of the day after I've been taxed, so I can live as I choose to live?

That's why we're losing industry. That's why the maritime provinces come up here and try to steal our industry. That's why industry is moving west in this country, because of our absolutely onerous taxes that we heap on personal income and on businesses. Again, I'm sure I'll get a lot of arguments from across the floor. But if you ask the businesses one of the big reasons why they have problems staying in Ontario, the number one response is taxes. They're killing them. There doesn't seem to be much support.

Mr Gerry Phillips (Scarborough-Agincourt): On a point of order, Mr Speaker: The member has some important things to say. I wonder if we could ensure there's an quorum in the Legislature.

The Speaker: Could the table count to determine if a quorum is present.

Acting Clerk Assistant: A quorum is not present, Speaker.

The Speaker ordered the bells rung.

Acting Clerk Assistant: A quorum is now present, Speaker.

The Speaker: The member for Etobicoke West may resume his speech.

Mr Stockwell: I would like to make comment on the fact that the government can't keep a quorum. It's seems incredible to me—

Mr Gilles Bisson (Cochrane South): It reflects the quality of your speech, Chris.

Mr Stockwell: The member for Cochrane South has come in. I'm glad to see him. It reflects to me that this government is playing trickery with the rules of this place.

Interjections.

Mr Stockwell: They insist in making—

Mr Jim Wiseman (Durham West): Trickery, jiggery-pokery.

Mr Stockwell: The member for Durham West has a lot of nerve talking about anybody and their political acumen. I suggest to the member for Durham West, if you're going to start heckling, maybe you'd like to go back to your own riding and listen to your constituents once in a while, because as far as I can tell, they can't even get hold of you any more. They've started phoning Conservative constituency offices because they've had it with this member and are fed up with his attitude towards the dump site and the fact that he wants to continue to force one on them when he made concrete campaign promises that he wouldn't do just that thing. I think he should go back and talk to his constituents before he starts heckling us, because I think he has great fears about his re-election campaign.

Hon Howard Hampton (Minister of Natural Resources): Haven't you heard, Chris? There is a phone-in campaign. They're looking for the last remaining federal Conservative in Ontario.

Mr Stockwell: They're looking for the last remaining federal Conservative in Ontario, and I suppose they'll find that one as soon as they find the last remaining federal NDPer in Ontario as well, I say to the Minister of MNR.

Hon Mr Hampton: That's all right: We're still here, Chris.

Mr Stockwell: You're still here. Yes, you're still here for 18 more months, you're right, unless you want to call the election early, and I'm all game for that. If you want to call an early election, I think that would be helpful. I think the people of Ontario would be very pleased if you called an election early. Before you start mocking the federal Conservatives and their downfall, I think you'd better take a long, hard look in the mirror, because I see you very close on their heels when it comes to the 1995 campaign.

I want to talk about a couple of taxes that are included in this 1992 tax increase they dealt with. One of the other ones I'd like to talk about is they increased the Ontario PIT rate—

Mr Bisson: All those Tories will wind up provincially.

Mr Stockwell: All those Tories will wind up provincially. I wish I could say the same about the federal NDP, but they don't seem that inclined, I say to the member for Cochrane South. From the few members of the NDP I can follow in the newspapers, they don't seem that enamoured with your government either, I say. So we'll worry about how we'll accommodate our federal Conservatives, because you don't have that problem when it comes to federal NDP.

I would like to comment on a couple of the other increases. One of the increases I find very difficult to accept is the personal income tax increase they included in their 1993 budget. They increased their taxes from 55% to 58% the previous year. They found that that didn't raise them enough revenue, because they were so cash-starved at the end, that they decided to increase the surcharge from 55% to 58%. But they found that by raising it three full points, that still wasn't enough.

Because they are partway through a budget year, they simply surcharged this amount, an additional 3% effective July 1, to take it to 61%: 61% for the final six months of this year.

Does it surprise you people at all that it's becoming more and more obvious and more and more difficult to try and get out of this kind of economic malaise that we're in when you're increasing taxes from 55% to 61%? Do you think that money is better in your hands to help revive this sluggish economy or in the hands of the consumers who can potentially spend it to restart this economy?

These members opposite don't seem to understand why the economy is performing as badly as it is. It's performing as badly as it is because you're taking \$3 billion per year out of the economy. You've got \$3 billion of taxes out of the economy of the province of Ontario that you use to frivolously waste and expend on redundant, ridiculous programs that do nothing to stimulate economic growth in this province. You would have been far better to have left that \$3 billion in the taxpayers' hands so they could then go out and spend it as they saw fit to hopefully jump-start this economy, rather than taking it into this place, allowing it to pass through the mandarins' hands that you've hired, as well as the NDP hacks you've hired, thereby taking a lot of that \$3 billion out before it even sees the economic cycle again.

That's the problem we've got in this province. That's the difficulty the taxpayers face. It is so obvious that—

Hon Mr Hampton: On a point of order, Mr Speaker: Do we have to listen to old Brian Mulroney speeches wrapped up again?

The Speaker: The member does not have a point of order. The member for Etobicoke West, however, has the floor.

Mr Stockwell: Jeez, hold it. I've got to recover from that shot. It may take a couple of minutes to recover from that one. Oh, baby. Hold on. My heart's—hold it, Mr Speaker. Thanks. Jeez, I don't know why he got removed from Attorney General. I don't understand that at all.

Mr Harnick: It wasn't because of his wit.

Mr Stockwell: Apparently not. This man is a humour-monger, there's no question about it. Slay me no more, Mr Minister, please. I don't know. Do you think he should have gone to the union joke school? Maybe he could have gone to the union joke school. That would have helped.

Mr Jim Wilson (Simcoe West): How much money did they spend on that one?

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Mr Stockwell: Oh, \$30,000, the union joke school. Surely the Minister of Natural Resources could have spent a couple of weeks there. That would have been excellent.

Before I was so tactfully destroyed in public there by the Minister of Natural Resources, I was talking about some of the programs they put in place during this budget. Some of the programs, and the offensive ones at that, increased the tax rates in this province on the higher income surtax level. Why is that? Why do I personally

think that's a really counterproductive way to go?

Mr Sutherland: Progressive taxation.

Mr Stockwell: Aggressive taxation? No, you don't call it aggressive taxation; you call it aggressive revenue enhancements.

Mr Wiseman: Progressive. Progressive.

Mr Stockwell: Progressive. I see. Progressive revenue enhancements.

The bottom line is, a tax is a tax. User fees: I don't care if you call them parental contributions or whatever you want to call them; they're still user fees. They can change the names of these things. Another one is Bill 79. They call them numerical goals. You can call them numerical goals all you want; they're quotas. If you want to change the names, you can change the names, but you don't change definitions. A tax is a tax, numerical goals are quotas, and so it will be to the end of time.

Mr David Turnbull (York Mills): On a point of order, Mr Speaker: I don't believe a quorum is present to listen to the wisdom that my colleague is presenting.

The Speaker: Could the table determine if a quorum is present.

Acting Clerk Assistant: A quorum is not present, Speaker.

The Speaker ordered the bells rung.

Acting Clerk Assistant: A quorum is now present, Speaker.

The Speaker: The member for Etobicoke West may resume his speech.

Mr Wiseman: On a point of order, Mr Speaker: I have to point out that the member for York Mills is so interested in keeping quorum that he left, and there are no opposition members except for the speaker in the House.

The Speaker: That is not a point of order. The member for Etobicoke West has the floor.

Mr Stockwell: It seems that in the past three years, the government is still having trouble understanding that it keeps quorum. I would remind the member for Durham West that you keep quorum and you must have 20 members. That's the challenge of government. That is a challenge of governing. One of the most difficult tasks this government has had is keeping quorum. That probably goes without saying. Not too many people are very shocked and surprised about that.

When I started out, I was commenting about why it is they need all this tax money. Although they try to leave you with the impression that they're holding the line on government spending, that truly is not the case. If we check back with the records, in 1989, when this government took over—in late 1990, I mean, but in 1989-90—government spending was marginally over \$40 billion. You'd think the way they're carrying on about the social contract and about priority spending and about upsetting all the members of the labour movement and all these other programs they're trying to initiate which they claim to be saving the taxpayers' money, you'd think when they took over with spending in the \$45-billion range, that it somehow had gone down. You'd think that's what

had happened, the way they're carrying on. You'd think they'd kept a lid on government spending, that it was in fact less than when they came to power.

Mr Mills: How do you keep a lid on welfare?

Mr Stockwell: I say to the member for Durham East, if you'd like to hear the answer, I'll be more than happy to give it to you. What the member for Durham East doesn't understand is that welfare is a cost-shared program. So municipalities have had the same difficulty that you've had when it comes to increases in welfare.

Mr Sutherland: We only get 30% from the feds.

Mr Stockwell: And then what do you give municipalities?

Mr Sutherland: Some 85% to 90%.

Mr Stockwell: Try 80%. So you come with 50%, you get 30% from the feds, and then 20% comes from municipalities. Their 20%, as a percentage of their budget, is far larger than a percentage of your budget, I say to the member from Durham. But I'll tell you, there are municipalities out there that have had increases in their welfare rolls and have reduced the taxes to the taxpayer. I point to the city of Mississauga. I point to Metropolitan Toronto. They've had increases—

Mr Sutherland: What happened to the tax base, Chris? What about their tax base in Mississauga? What has happened to the tax base?

The Speaker: Order, the member for Oxford.

Mr Stockwell: They've had increases of marginal percentages. Why is that? Because these municipalities have faced the same difficulty you have, but in the first year of operation they didn't waste money on holistic, unachievable government opportunities that in fact wasted taxpayers' money.

When it comes to dealing with the facts of the matter, they don't want to do that. Other levels of government have had to deal with welfare increases, and they've done so quite well. In fact, they've kept a lid on taxes and in some instances reduced taxes. They make these charges, but there appear to be other levels of government that can make those numbers work and in fact reduce taxes to the taxpayers in their appropriate municipalities.

So when they came to power, as I was saying, in 1990, they had a budget of just over \$45 billion and, as I said, they've kind of led the public to believe they've somehow kept a lid on spending, somehow held the line on spending. So you'd think, Mr Speaker, from 1990 to 1993 that somehow the budget would be around, in expenditure, \$45 billion. Well, what a shock. This government, this conversion to fiscal conservatism, has in fact increased government spending from just over \$45 billion in a few short years to just under \$55 billion in spending that the taxpayers may in fact have to pay.

Why, then, do they need these tax bills? To fund the spending that's taken place. And where did this spending go? Where did it go? Well, let's talk the first year of power. What was your increase to the workers in this province? The first year of power, when I and my caucus were telling you, "We're in for a very tough recession; you'd better freeze public service salaries," you were

increasing them at 6% and 7%. In some instances, you were talking about a 14% increase to the senior civil servant ranks. Of course, that was a grotesque error in judgement. Of course, that was a huge mistake, because you were giving these people 15% pay hikes and two short years later you're trying to roll them back by 5%.

Mr Sutherland: What do you mean, 15%?

Mr Stockwell: Well, 14.7%. Increases to the senior civil servants, the increased package, worked out to 14.7%. Across the board—I never said across the board—you were making settlements for 6% and 7% in some instances. I told you not to do that then. I told the minister of Management Board, who's sitting here as social services minister, at that time that he should have frozen salaries because we were in for an economic recession; you couldn't afford this. You told me that I was interfering in the collective bargaining process and only an irresponsible, right-wing radical would interfere in the collective bargaining process. And then suddenly, two short years later, the conversion is complete.

Mr Drummond White (Durham Centre): On a point of order, Mr Speaker: My friend opposite has made several statements about all these exceptional warnings he's offered us. I'm wondering if he can make a reference in Hansard where he made those comments.

The Speaker: The member does not have a point of order. The member for Etobicoke West may resume his speech.

Mr Stockwell: I ask the member for Durham Centre to go speak to the minister of social services, because I'm sure he can point to the Hansards when I stood up in this House to question the minister of Management Board, saying: "You're making a big mistake. You're giving 6% and 7% increases. You should have frozen their salaries, because it would be irresponsible, because we're into an economic downturn and we won't be able to afford it in a couple of short years." In essence the response was: "That's an irrational approach. Only a right-wing capitalist would do that kind of thing. Only a right-wing Conservative government would even think about meddling in the collective bargaining process." That was the response.

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Mr Sutherland: He negotiated 1%.

Mr Stockwell: He negotiated 1% one year. Why don't you go back to the year before that? He increased it 6% and 7%. I say to this government that this is selective amnesia. They're choosing to remember what they want to. You had settlements in your first and second year of 5%, 6% and 7%. Get in the game. You can't remember that? You're simply choosing not to, and your rationale was, "We don't get involved in the collective bargaining process because that's sacred and no government should be involved in that because that would only ruin what we believe, which is collective bargaining for affiliated unions and God bless solidarity for ever," and all that brotherhood stuff.

Two short years later, after that fatal flaw, the original budget, the increases to the people, 14.7% increase to senior civil servants, suddenly we've got a group of right-

wing capitalist, contract-meddling social democrats—what the heck is that I'll never know but that's what we got—who are now suggesting that, "Clearly when we were giving 6% and 7% increases, we had lost our minds, and we weren't sure what we were doing, so we introduced Bill 48," which went back and grabbed back all that money you gave them two years ago that I told you you should never have given them in the first place.

I'm telling you now that since you didn't listen then, maybe with the track record that I have on these kinds of issues, you might listen now.

Mr Wiseman: What track record?

Mr Stockwell: Don't worry, Hansard will take care of it. That's the beauty of Hansard. I love Hansard because it gets all those comments on the record. It allowed me to bring them out at the appropriate times when I was a right-wing capitalist who would break contracts and do horrible, dastardly things and compared me to Peter Pocklington, Perot and all those other right-wing sorts who now pale in comparison to Bill 48 and the contract-ripping social democrat, right-wing capitalist, free-enterprise, left-wing-leaning sorts.

So I say to you, what would be the best thing you could do now? The best thing you as a government could do now is re-examine your tax position. Why would that be a good thing?

Mr Sutherland: Tell us, Professor Stockwell.

Mr Stockwell: I notice the member for Oxford is taking notes. I will say, why? Why is it a good thing to look at taxes? Let me say this. When you levy taxes that are paid by the private sector out there, personal income taxes, you take a buck, and when you get the buck in government I think you have the best intentions. You want to go out and spend that dollar as if—

Mr Anthony Perruzza (Downsview): Listen, we don't pass the buck; you pass the buck. We take it; you buy it.

The Speaker: Order. The member for Downsview is out of order.

Mr Stockwell: I'm sure the member for Oxford would be upset if I'm being interrupted by the member for Durham West.

Mr Perruzza: He's being provocative. He's inciting me.

Mr Stockwell: I am not being provocative; I'm just telling them what they could do now. Honest to goodness, considering the lecture I gave them on the increases in pay in the 1991 period, you'd think they'd listen.

When you get the tax dollar in here you, I believe, with all good intentions, would like to spend it as effectively as you could. The difficulty that you have is this: Once you filter that dollar through all the government agencies, once you filter that dollar through Jobs Ontario, once that dollar gets filtered through deputy ministers and purchasing agents and secretaries and welfare fraud and health care systems and so on, by the time you're finished filtering that dollar, you have about 25 cents left. Then that 25 cents gets put back into the economy and it gets spent.

Mr Perruzza: Listen, don't pass the buck. Don't pass it.

Mr Stockwell: If you took that buck that you took out of the private citizens' hands and virtually wasted and left it in the private citizens' hands, they'd have a full Canadian dollar's worth of buying power.

Mr Mills: What are you going to do about corporate fraud?

Mr Stockwell: I'm trying to resolve the tax issue right now. I'll deal with corporate fraud later. I can only solve one problem at a time, for heaven's sake. I only have an hour and a half too.

If you left that dollar in the private citizens' hands, they would have a dollar worth of buying power. If you left the buck in there, then they would spend it as they see fit, but you see, it wouldn't be filtered through any government agency, it wouldn't be filtered through this place and they would have the full dollar. But every time we take a tax dollar in, we take part of that money just to run this monolith that we call government and the money isn't being efficiently spent.

I don't think anybody at all would argue that tax dollars are being efficiently spent, because I hear your Minister of Health and your Premier saying there's fat in the system and that's what we're going to find with the social contract. But if you never took the buck in the first place, you wouldn't have the fat because there'd be no money to live off. By paring down your taxes and appropriately reducing your expenditures, leaving the money in the private sector, you end up in a better position for the taxpaying public. They have more money to spend, creating a better economy and reducing the size of government.

Now, corporate fraud.

Mr Jim Wilson: That's the corporate welfare bums.

Mr Stockwell: The corporate welfare bums. The corporate welfare bum argument you talk about is not an argument that can be very well placed by this government any longer. You see, you struck the Fair Tax Commission, and what was the Fair Tax Commission's mandate? One of their mandates was to examine the corporate—

Mr Mills: It's the expenses.

Mr Stockwell: Listen up now, the member from Durham: One of the Fair Tax Commission's mandates was to study the tax situation, the taxable earnings of corporations in the province of Ontario. They went ahead and did that study.

Mr Sutherland: It was a divided report.

Mr Stockwell: I'm sure the member for Oxford has probably read the recommendations. Well, what came out of the Fair Tax Commission and what the Treasurer adopted as changes to the minimum corporation tax was nothing.

What it came down to was the people on the Fair Tax Commission could not agree that the corporations in this province were ripping off the taxpayers. They couldn't agree on whether a minimum tax would be useful or not. They couldn't agree that the corporations in this province were already not paying their way.

So what it came to was the Treasurer had an opportunity to take this divided report and implement part of it or some of it or any of it.

Mr Mills: It's the expenses they charged. You know what I'm talking about. It's the crooked expense sheets.

The Speaker: Order, the member for Durham East.

Mr Stockwell: The Treasurer chose to implement none of it, I say to the member from Durham as he's leaving. Don't go, Gord. The Treasurer chose not to implement any of it, because that issue, the position that you'd staked your political careers on for 25 years, was simply a ruse. Anybody who believes corporations aren't paying their fair taxes should've seen this government move in the first few months of power to rectify that.

Why did you not move to rectify it? Because it doesn't exist. Because corporations are people. People are shareholders. When they declare dividends to shareholders, they pay taxes. It never existed. It was a ruse. It was like eradicating food banks. It was like universal welfare. It was like 60% funding for all school boards. It was, you were on planet Clair.

There wasn't a prayer of doing this stuff, and the Treasurer finally figured it out, got the Fair Tax Commission report, went, "Holy smokes, you mean we've been wrong for 25 years," and put it away. That's what happened to the minimum corporate tax. That's what happened with this government and that's why you're in the state you are today, because in Agenda for People you were financing a good proportion of your promises out of taxes you were going to generate from a minimum corporate tax that didn't exist.

That's where you fell off the tracks. That's where the problems occurred, and that's why the Treasurer never, ever any more says anything about a minimum corporate tax. In fact this same Treasurer, although marginal, reduced taxes by 0.5% on corporations. So this is what happened.

Now, before I wind up, I want to just make a quick discussion—

Ms Sharon Murdock (Sudbury): You're already wound up.

Mr Stockwell: That's true. I've been accused of worse, though.

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Ms Christel Haeck (St Catharines-Brock): What kind of batteries do you have?

Mr Stockwell: I'm not on batteries. I want to talk about the problems—why we must raise more taxes. I want to talk about why we have to raise more taxes and why your spending is irrational and insane in some instances.

Bill 143 is the bill where you set the IWA up. I want to talk about that quickly. Do you know why you've got a problem on Bill 143 or the IWA? I'll tell you why you've got a problem. It's another one of the problems you came to power with. Why you have a problem—and I say to the member of the Liberal Party here who's valiantly attempting to fight this, and I know the caucus and the Conservative caucus is valiantly attempting to

fight this landfill issue—you see, you came to this government with a very, very real problem. Your problem was, you were trying to be all things to all people, and taxes is one of them.

But why you had to spend \$50 million is because you had the Premier going around this province during the election, going to landfill sites making promises they wouldn't be there. Do you know what? I don't oppose him for doing that. I think if that's what he wanted to do—

Mr Turnbull: I do. I hate liars.

Mr Stockwell: I don't. If that's what he wanted to do and that was his position and he wanted to say David Peterson was breaking promises and David Peterson was lying and he was going to make the commitment there would be no dumps, that's fine and I think he should have done that.

But you see, the problem with you people is this: You wanted to be all things to all people, because at the same time he was making these promises to my poor departed friend from Durham West, the ex-member for Durham West—when he was making those promises to his constituents, he was also making promises to environmentalists. The promises he made to environmentalists were, "We won't rail-haul and we won't incinerate."

So you see, now you've got a problem: If you somehow got elected, which you did—we're still pretty astounded about that in Ontario—you now said you wouldn't put landfill sites on grade A farm land in the Metro Toronto region. You said you weren't going to burn garbage. You said you weren't going to rail-haul garbage. You said you weren't going to put garbage on Peel farm land or Durham farm land or York farm land. You weren't going to burn it, you weren't going to rail-haul it. What were you going to do with it? Where was this garbage going to go?

You see, they had made promises to everybody on anything at any time for any reason. What did they have to do? They got in the government and said, "First we need tax money, then we're going to have to spend \$40 million or \$50 million to tell the people of this province that we won't resolve this problem, we'll strike a committee to resolve this problem." You struck a committee to resolve this problem, but you still had some promises, I say to the member for Oxford, you had a lot of promises out there.

You had promises to Whitevale; you had promises to Durham; you had promises to York; you had promises to Peel; you had promised the environmentalists you wouldn't incinerate; you had promises you wouldn't rail-haul. The only promise you didn't have time to deal with is, what were you going to do with the garbage? Where was the garbage going to go? The SkyDome? What was your plan? You didn't have a plan. You just couldn't stop or help yourself from making promises that cost the taxpayers \$50 million—

Mr White: On a point of order, Mr Speaker: I would like to draw your attention to the fact that the member has diverted wildly from the subject at hand, which is in fact a tax bill.

The Speaker: The member indeed has a point of order. The bill is Bill 31. It's a tax bill and perhaps the member could address his remarks to the principle of the bill.

Mr Charles Beer (York North): Mr Speaker, on a point of order: In support of my learned friend from Etobicoke West, because the Interim Waste Authority has cost \$50 million, which has to be paid for out of taxes, then clearly what the member is talking about is indeed a tax increase, and I frankly—

The Speaker: To the member for York North who is volunteering to make the speech for the member for Etobicoke West, you have at least provided him with some material. The member for Etobicoke West may resume his speech.

Mrs Marland: On the same point of order, Mr Speaker.

The Speaker: I have dealt with the point of order, and the member for Etobicoke West has regained the floor.

Mrs Marland: Oh, has he? I'm sorry.

Mr Stockwell: That is exactly the point. I think it's well taken and I thank the member for York North for bringing that position forward. We had \$50 million in spending for the IWA, and that's \$50 million you wouldn't have had to tax for. Bill 31 was taxes, and taxes mean that if you spend the money, you've got to raise the money. If you don't spend it, you don't have to raise it. It's pretty clear that if they didn't spend it, they wouldn't have to raise it. It's much like their promises, and I want to get back to this issue.

I ask the members opposite, if you're not going to burn it, you're not going to rail-haul it, and you're not going to bury it, what are you going to do with it? I still have not had a response from them on that issue.

In conclusion, I want to draw to the attention of the viewers at least and some of the members opposite that—

Mr Perruzza: What viewers? There's nobody watching you.

The Speaker: Order. The member for Downsview is out of order.

Mr Stockwell: The members opposite, including my friend from Downsview, who I think is one of the better members opposite and I think adds some good points of view to debate—if it happens, I'll tell you. I do think he is, and he doesn't get enough time in this House to express his opinion. The government doesn't give him enough time to talk about the issues that affect his constituents. I would ask the House leader, I would ask others, to allow the member for Downsview to get up more often and put forward the position of the government, because I find in my office that every time he does, we go up in the polls.

I will say to the members opposite, I think you have made a huge mistake in pushing this round-the-clock business. I think you've made a big mistake, because you've made a mistake on the wrong bill. If there's one bill out there that the people are fed up with, if there's one issue they're tired of with this government, regardless

of any other, it's taxes. You've taxed the people for three years at the highest possible rate people could be taxed at. You've taken \$3 billion out of the economy.

When people come to my constituency office, they talk about two things: They talk about getting a job and they talk about the taxes. The only two issues you've dealt with, in my opinion, have been jobs, and you've lost them—they've been lost in this province—and with the taxes, you've increased them. Nobody but nobody can continue to live in this province and prosper with the kind of onerous tax implications you put them under.

Small businesses are finding it very difficult to get by, but every time you bring a budget in, you increase taxes. The most depressing thing about this government is that it brings tax hikes in and it brings tax hikes on top of tax hikes, and it increases services, and it has revenue enhancements, and its deficit does nothing but get higher. Even with the taxes you're hitting the people with, even with the amount of money you're sucking out of the economy, your deficit still doesn't do anything but get higher.

Doesn't that leave you with the very simple conclusion that you're incapable of managing this province, you're incapable of governing this province, you're incapable of dealing with the problems in this province? The best thing you could do is what 95% of the people who talk to me ask me to ask you to do, and that is simply to resign, call an election and let the people decide whether they think you have what it takes to govern this province any more.

We're speaking live today in this Legislature, because this government has decided to try and pull a stunt on the House leaders of this House. They've tried to pretend that they are all-powerful and can beat us into submission on tax bills, but they will not beat this caucus into submission on the tax bill. We'll sit here. This Conservative caucus will sit here, and any time they want to have a debate on taxes, any time they want to debate in this place, outside this place, in Kingston, London or Thunder Bay, a Conservative caucus member will be there to debate this government.

2200

Mr Ron Eddy (Brant-Haldimand): London or Middlesex.

Mr Stockwell: London or Middlesex, any of these; in Cochrane South. It would be a pleasure to go to Cochrane South and debate the taxes and the tax issues that face those constituents.

Mr White: Go right up there, Chris.

Mr Stockwell: I would be happy to go to Durham and meet Drummond White face to face, Drummond White's constituents, when it comes to taxes, when it comes to deficit and when it comes to garbage dumps, because I think the constituents in Durham have had it with this NDP government as much as we have.

Mr Perruzza: And when it comes to government. Don't forget when it comes to government.

Mr Stockwell: I want to Downsview, if I want to go anywhere. I want to go to Downsview and I want to go to Yorkview. I'd let them both come because I think I'd

like to debate them both at the same time, both Downsview and Yorkview.

The people in this province have come to the end of the road. It's an 18-month period where you'll be allowed to sit there and continue to heap the oppressive taxes, the regressive government policy. The unreasonable approach you've taken to managing this province will come to an end in 18 short months. In 18 short months, the people will get an opportunity—and I know I'm stealing a line from one of my colleagues—to do what I know they want to do. And I think the slogan for both opposition parties should be, "Folks, this is the election you've been waiting for."

I wish the Treasurer were here. We are debating a bill, an important bill; it's \$1.1 billion in taxes taken out of the economy of the province of Ontario. It means more tax dollars from the taxpaying public, and it's shrinking. It's shrinking because people are losing their jobs, because companies are closing or moving. Why are they closing and moving? Because the economy is so savaged and beaten.

Mr Sutherland: And why is that?

Mr Stockwell: I've got the member for Oxford—

Mr Sutherland: John Crow and the federal government introduced a high-dollar policy—

Mr Stockwell: I know why John Crow is nervous in the province of Ontario, because the crow population is decreasing in the province. John Crow has a right to be nervous to come into the province of Ontario.

Mr White: My friends, it's the Liberals who'll be eating crow.

Mr Stockwell: The member for Durham Centre is right on the ball, I'm glad to see. It's great to see you up and around again.

What I say to this government is that in a few short months we'll get an opportunity to see and measure how much they enjoyed the tenure of your five years. We'll talk about Bill 40. We'll talk about the tax hikes. We'll talk about all the programs you put in place that this province is sick of. We'll talk about Bill 79. We'll talk about white English males not being able to apply for a job. We'll talk about—

Mr Sutherland: It's 60% in senior management in the past year.

Mr Stockwell: We'll talk about these issues that need to be addressed—

Mr Sutherland: That information didn't come out because you only read selected papers.

Mr Stockwell: Look, if the member continues, I may well go to Oxford and debate this member. It would be a pleasure to go to the people in London, because I don't think the people in London are as enamoured with you as the people in Durham are with him. I think it's equal, your popularity.

Mr Sutherland: On a point of order: The member for Etobicoke West should take a geography lesson. London is not in the riding of Oxford.

Mr Eddy: It soon will be. Just keep adding a few more townships.

The Speaker: It appears to have been settled. The member for Etobicoke West.

Mr Stockwell: I didn't mean to offend the good people of Oxford and London. I apologize. If it's not in there, I just assumed the land grab was bigger. Of course I will send my apologies also to the ex-member for Middlesex.

Anyway, I want to wrap it up. I would like to say to the members opposite, another announcement today was that of the Housing minister. They seem to be enamoured with retroactive legislation. I remember Bill 4, and it was an interesting comment from the member for York Mills: Is this the first piece of legislation they've had retroactivity on? The member for York Mills piped up that in Bill 4 it was so retroactive that they weren't even elected when it went into existence.

It's just a typical response from this government. The member from Scarborough shakes his head. Stop shaking your head; you're going to drop one of your pompos.

I say to this government, including the ministers opposite, that we will get an opportunity to debate a lot of these bills, and the best place for us to debate them is on the campaign trail. I want to be able to debate these bills. I want to be able to debate the landfill site in Whitevale. I want to go to Vaughan and York and I want to go out to Peel, and I want to talk about the landfill issue. I want to go to Kirkland Lake and talk about the landfill issue. I want the people of this province to have a full and open airing of all the issues that have been addressed by this government in the past five years, of forcing this House to sit around the clock or it will force \$1.1 billion in taxes down the Ontario citizen's throat. I'll be here around the clock because I know I'm speaking for the constituents who can't. If they could, they would be saying far worse than I'm saying today. They'd be saying, "Throw the bums out."

Mr Mills: On a point of order, Mr Speaker: We in this House should treat one another as honourable gentlemen and gentle ladies. I take great exception for someone to refer to me as a bum. I am not a bum. That is unparliamentary and I ask the member to withdraw that.

Mr Stockwell: Mr Speaker, I withdraw that comment. It is a colloquialism. It is not directed at the member from Durham. I would never accuse you of being a bum. It's just a phrase that used to be used about rascals. I put in "bums" instead of "rascals."

The Speaker: The member had completed his remarks and he sat down. There was a point of order after you sat down. We have time for questions and comments. The first member on his feet was the member for Downsview.

Mr Perruzza: What's really interesting here is how we can at this late hour make light of the entire issue of responsible government, because that's essentially what we're talking about here: how we, as a government, pay for what government provides.

I can tell you unequivocally that I do not subscribe to my Conservative friend's point of view. I don't subscribe to the view where you simply cut, slash and burn across

the board; where you say to seniors, "We're going to cut, slash and burn"; where you say to injured workers, "We're going to cut, slash and burn"; where you say to people who need government most, the unemployed, to create jobs, "We're going to cut, slash and burn"; where we're going to say to small business that has been penalized by Conservative government, federal inaction, with respect to the banks: "We're going to cut, slash and burn, and there's nothing in it for you. If you're a small business and you're going down the drain, well, my friend, you are going down."

I do not subscribe to your point of view. I don't believe for one minute that we live in a cold, cruel world. I don't subscribe to your point of view.

What we're talking about here tonight is responsible government, so how he can make light of providing responsible government for the people of Ontario is beyond me. And I will fight you. I will fight you with the last whimper I have in me, and I will fight you.

The Speaker: The member's time has expired. Questions or comments?

2210

Mr Phillips: I'm pleased to commend the member for Etobicoke West. I think the viewers out there should recognize we're debating the bill that increased the provincial income tax by 11%. It's obscene; it really is. You took the provincial income tax up 11% just when the economy was beginning—

Mr Sutherland: Eleven?

Mr Phillips: The member doesn't understand. You took it up 11%. That's the problem with you people, you don't understand what you're doing. You took it up 11%. That is the parliamentary assistant and he can't understand that you took the rate up 11%.

I would say the member for Etobicoke West is absolutely right. What it's done is it's driven the revenue into the ground. You don't understand that.

Interjection: Wrong.

Mr Phillips: Somebody said, "Wrong." You don't understand it.

Mr Hope: Listen to a Liberal; give it a rest.

The Speaker: Order, the member for Chatham-Kent.

Mr Phillips: You've taken taxes up \$3.5 billion and tax revenue has dropped \$2.5 billion. You don't understand what you're doing. You're driving the economy into the ground. The member for Etobicoke West was making that point.

Someone else said, "Listen, we're taking the taxes up so we can afford to pay for the services." You are driving revenue down. If you don't know that, find it out, because it's right in front of your eyes. Tax revenue three years ago was \$33.6 billion. What is it this year? What is tax revenue this year? It's \$31.2 billion. It's gone down by \$2.4 billion. You don't understand that. The member for Etobicoke West was trying to make that point for you.

Come to your senses. You're taking taxes up. Tax revenue is dropping. You are making the problem far worse. That's the point the member was attempting to

make. You should be listening to him.

Mrs Marland: I would like to congratulate the member for Etobicoke West, because this is the message that he is trying to give tonight. It's very important that Bob Rae's socialist government listens to the message of the member for Etobicoke West.

Mr Mills: On a point of order, Mr Speaker: We have rules and regulations in this House. I think one of the rules is that we don't have props that we hold up. That's out of order.

The Speaker: We do discourage all members—
Interjections.

The Speaker: Order, the member for Grey-Owen Sound. We discourage all members from bringing signs into the chamber and would ask that they not be displayed.

Mrs Marland: This bill that is being debated tonight is a tax bill. What this government has yet to understand is why they are at 6% in the polls. It is because of the fact that you don't understand yet that the people in this province are fed up with increased taxes, and they do not appreciate the fact that you seem to think you can spend money as though it's your own and all the new incentives that you have for collecting money where money has never been collected before, like photo-radar, for example.

There's an example where you are doing absolutely nothing to improve the safety on our highways. You don't even care who is driving the car. You are not awarding any demerit points. All you're doing is collecting money. You're doing nothing to improve safety on the highways.

Mr White: My friend from Downsview makes a very important point. We are dealing here with an issue of taxes and responsibility as government. I was shocked and appalled with all the laughter, all the comedy that came from the bench opposite when we are dealing with significant issues for our province, for our country.

Of the billions and billions of dollars that this province has been bled, the \$10 billion that this province—

Interjection: It's \$15 billion.

Mr White: —the \$15 billion that this province has been bled in the last five years, we know that for every 41 cents of the federal dollar that comes from this province—41 cents of that federal dollar comes from this province—only 31 cents comes back to this province. These are important and essential issues.

Mr Jim Wilson: It's called Confederation.

Mr White: This is not equalization, my friend. This is close to theft. The opposition gleefully gibes at this government of this province.

Interjections.

The Speaker: Order.

Mr White: As a result, in order to preserve essential services we are forced to raise taxes, we are forced to deal with very difficult issues like the social contract, and that social contract effectively saves some \$600 in taxes for every single resident of this province. We took a fair response, a response that deals with services, that deals

with compensation, and that deals indeed with additional taxes.

But do we hear this addressed? No, we do not. We have instead laughter and jocularly about the most important and serious issues our government has to wrestle with, and I think it is not becoming to this House to have that kind of address.

The Speaker: The member for Etobicoke West has up to two minutes for his reply.

Mr Stockwell: I thank the member from Scarborough. He made the point as well as I could. I tend not to think it sunk in, but it's something that I think the public out there understands and understands very clearly. I also thank the member for Mississauga South for the comments she made. They were well made and I appreciate those comments as well.

To the members opposite, I don't know if you should be giving any lectures to anybody about any issues, about whether or not we should be taking certain issues seriously and not seriously and how we conduct ourselves in public. There's one thing about this government and there's one thing about this party that I will never, ever forgive, and that was in the last campaign when their Premier, the leader of the party, stood downstairs and called Premier Peterson a liar for not fulfilling some of his campaign promises.

I think it was unfair and uncalled for and unreasonable. As a Conservative, I found it offensive at that time, and I wondered if our political system had sunk that low that we would have party leaders accusing others of being liars for not fulfilling beer in corner stores and insurance policy initiatives. That's what this leader did to the ex-Premier.

I was no fan of the Liberal government, so I don't want any lectures on how we treat issues and how we treat each other, because five times your leader called the Premier of this province a liar for not fulfilling an insurance promise. You have a lot of nerve calling people liars when he didn't fulfil an insurance promise, when you have absolutely smashed any promise you made in 1990.

So the lectures will be short. I won't stand for them until I hear a full retraction and public apology from this Premier, and I haven't heard it yet.

The Speaker: Is there further debate?

Hon Mr Charlton: I move the adjournment of the debate.

The Speaker: Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All opposed will please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

Orders of the day, the government House leader.

Hon Mr Charlton: I move the adjournment of the House.

The Speaker: Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All opposed will please say "nay."

In my opinion, the ayes have it.

This House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 2220.

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Wednesday 24 November 1993

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

SOCIAL ASSISTANCE

Mrs Yvonne O'Neill (Ottawa-Rideau): I rise today to ask the Minister of Community and Social Services why he continues to drag his feet on social assistance reform. We were all rushed off in early July to a training centre for the introduction of the document Turning Point, but since then little has happened.

The tragedy is that social assistance spending in this province now exceeds spending on education. To add to that tragedy, the level of education of applicants for social assistance is quickly rising; we now have university graduates and we now have vice-presidents of companies standing shoulder to shoulder with the most vulnerable in our communities.

Questions and concerns continue to mount both in the minds of the recipients and the providers about Turning Point, the government blueprint on social assistance reform.

Staff wonder if and when they will be retrained. Recipients fear new eligibility criteria and wait patiently for counselling and personalized planning. Municipal partners want to know what role they will play.

The end of this government's mandate is fast approaching. I urge the Minister of Community and Social Services to stop stalling on this issue. Social assistance reform must be a front-burner government priority.

PUBLIC CONSULTATION

Mr Leo Jordan (Lanark-Renfrew): This statement is for the Minister of Natural Resources. I have yet another example of how government has failed to live up to its commitment to consult the people. A prominent member of the Madawaska highlands advisory committee has resigned from that committee. He has done so because this government's approach is unaccountable and fundamentally flawed.

Renfrew county warden Dermott Calver resigned from the committee yesterday for some of the following reasons: He has no faith in the Ontario government's stewardship of our natural resources; as a member of the committee, he was given no power to make decisions about the future use of the highlands region; and, finally, Mr Calver believes that the agenda is driven by either outside special interest groups or the government itself.

This government has made a farce of the democratic process. The Minister of Natural Resources must stop paying lipservice to public committees and engage in genuine consultations. With true consultation, the minister will find that the people want to maintain traditional uses of land in the Madawaska region. They want to continue forestry, tourism, hunting, angling and conservation.

CAVE SPRINGS DOCUMENTARY

Mr Ron Hansen (Lincoln): I rise to inform the House that Cave Springs, a most unique conservation

park in my riding, will be the subject of an upcoming documentary on Maclean-Hunter cable TV. The half-hour show, produced by Patti Crossley of Port Dalhousie, will be shown throughout Niagara on community cable 10 at 8 pm Saturday, December 4.

Cave Springs, located in the town of Lincoln, has been a focal point of interest for many years because of the ice cave and magnesium spring. Its historical significance runs the gamut from lost treasure caves to early Loyalist settlement. The most interesting place to visit in the park is the ice cave. In winter, there is no ice or snow inside the cave. It stops at the entrance. But as the warm days of spring turn into the blazing days of summer, ice forms and thickens in the cave. You figure it out, Mr Speaker.

Mrs Margaret Reed, fondly known as the Witch of Cave Springs, has been giving tours of the site for years. She especially enjoys casting the magical spell of Cave Springs on school children. The documentary has captured the essence of Cave Springs and the spirit of its keeper, Mrs Margaret Reed, a wonderful senior who says she'll live for ever because she drinks the magic water of Cave Springs.

The show will be distributed to other interested cable stations throughout Ontario and Canada. I urge this House to keep an eye out for this documentary and to pay a visit to Cave Springs.

CHRISTMAS SEASON

Mr Tim Murphy (St George-St David): The Christmas season is fast approaching and it is a season that I, for one, am glad to celebrate. While many of us think of Santa Claus, holly and Christmas trees, except perhaps the grinch in Management Board, we must give some serious consideration to those less fortunate than ourselves. For many of the homeless in Ontario, Christmas is just another cold day in a doorway. In this province, we have record high levels of unemployment and an ever-increasing lineup at the welfare offices. The 119,000 welfare cases handled last month in Metro represent support for 210,000 individuals, with a 400% increase in the number of children who are dependent on welfare compared to October 1989.

Let us give consideration to how these citizens of our province are going to deal with this upcoming Christmas. Let each of us think seriously about making donations to the Santa Claus funds around the province, the charities that do so much valuable work in our communities and, unfortunately though they exist, the food banks, which are so important in ensuring people have enough to eat.

I would also like to pass on a message from a constituent of mine to the Minister of Community and Social Services and the Premier. This is what a constituent of mine, Hamish Broadwater, told me to ask on his behalf of the Premier and minister. He said, and I quote: "Tim, please remind them that real people cash welfare cheques. Will you please ask the Premier and minister to make sure that the cheques arrive early enough so people have them to celebrate Christmas, not like last year."

1340

CHILD POVERTY

Mr Bill Murdoch (Grey-Owen Sound): Tricia Devlin and Diane Smith of the Body Shop in Owen Sound have presented me with hundreds of cards signed by constituents who are calling for elimination of child poverty.

One measure to ensure that children are not hungry is the breakfast program which my leader and my caucus have long pressed this government to establish in Ontario. As I have told the House previously, if the Minister of Education and Training wants a successful example, he need look no further than Owen Sound, where the local Red Cross and other community agencies have designed a pilot project for the students in kindergarten to grade 6.

This sort of program where government acts as a facilitator between private industry, community groups and boards of education guarantees that our school children start each day with a nutritious meal. Because it is done in partnership with the private sector, there is little or no cost to the already overburdened taxpayer. As well, it will go a long way to helping children from homes where there is not always enough food to keep them healthy, alert and keen to stay in school.

We can do much to help eliminate child poverty, not only with the breakfast program but with less intrusive government policies and a much fairer and more responsible approach to taxation. We cannot ask the people to keep paying and paying and paying, and we must welcome the private sector and encourage it to create jobs so we can have the sort of healthy economic climate where parents work, where children are fed well and where no one lives in poverty.

WASTE REDUCTION

Mrs Ellen MacKinnon (Lambton): I am pleased today to inform the House that Lambton county continues to support and participate in Ontario's waste reduction action plan. The townships of Moore and Sombra recently received grants totalling \$100,000 under the municipal recycling support program. The townships of Moore and Sombra are two of over 520 municipalities actively working to divert waste through recycling.

Presently, municipal recycling programs service over 3.1 million households across the province and together produce 444,000 tonnes of market-ready materials annually. This program, when combined with others under the waste management reduction plan, has enabled Ontario to meet the 25% diversion target and will make a significant contribution to our next goal of at least 50% waste reduction and diversion by the year 2000.

This government is committed to a safe and clean environment, and through commitments such as the municipal recycling support program, I am pleased that my riding of Lambton is participating to meet the goals of Ontario's waste reduction action plan.

MUNICIPAL LEGISLATION

Mr Bernard Grandmaitre (Ottawa East): On Monday of this week, I had the privilege of asking the Minister of Municipal Affairs if he would introduce Bill 77, the Regional Municipality of Ottawa-Carleton Statute

Law Amendment Act, for second reading before the end of this session. His answer was vague and also unrelated. Mr Minister, on behalf of every citizen in Ottawa-Carleton, I once again invite you to introduce this very important bill, and let's have an open, democratic debate.

I find it very unfair that you or the member for Ottawa Centre would ask the opposition to guarantee a quick passage of this bill. We need an opportunity to debate so we could introduce five amendments, and let you, the majority government, decide if these amendments could be incorporated.

You have an open invitation to serve the public of Ottawa-Carleton with the same dignity and treatment as other municipalities in the province of Ontario. Our request is a fair one, Mr Minister. Will you do it?

ALTERNATIVE FUELS

Mr Noble Villeneuve (S-D-G & East Grenville): Tomorrow, Sunoco and UCO Petroleum will introduce ethanol-blended gasoline to Metropolitan Toronto. As someone who has supported fuel ethanol for many years in this House, I believe that tomorrow marks an important step for ethanol-enhanced gasoline.

Ethanol, as an octane enhancer, is both an economic and environmental plus for the province of Ontario. On the economic side, Ontario corn growers achieve a new market for their product and our economy reduces its dependence on imported fossil fuels and additives. On the environmental side, ethanol reduces pollution. Growing crops remove carbon dioxide from the air. Ethanol-blended gasoline burns more completely, ensuring lower emissions of carbon monoxide and hydrocarbons during winter months.

It's ironic that just a few years ago the Peterson Liberals rewrote fuel regulations to prevent the use of greener fuel. We have made very significant progress since that time. Ethanol-blended gas is the greenest fuel any car can utilize without undergoing any modifications.

I encourage the motoring public in the Toronto area to support ethanol-blended gasoline to benefit the environment and reduce pollution. I hope that in the future we will see more locations in addition to the one opening tomorrow at the Sunoco station at 640 The Queensway in Etobicoke at East Mall.

CINDY CONDER

Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings): Today I'd like to take a few minutes, less than 90 seconds, actually, to talk about Cindy Conder. Cindy Conder is presently the warden of Prince Edward county, but she's retiring after only seven years of being a municipal politician.

The reason she's doing this is because she has a young family. When she first started into politics, she had no children. She now has two and I think she finds that the workload is a little too much, considering that she is a young mother.

I just want to say that in her short time Cindy Conder has made some great contributions to the community. She was first elected as a councillor in Athol township, the township where I live. She then became the deputy reeve and eventually the reeve, and this past year she has spent

her term in office as the warden of Prince Edward county.

She's done a great job. Her family, especially her husband, Curt, need to be commended for sticking by her through these difficult times.

I want to congratulate her on a difficult year as warden where she's had to deal with things like planning, deer and ferries. I just want to say that she has done a great job. She's contributed to the community and I wish her the best of luck in the future. Maybe in the future she'll get back into politics, at a later time.

STATEMENTS BY THE MINISTRY AND RESPONSES

DRIVERS' LICENCES PERMIS DE CONDUIRE

Hon Gilles Pouliot (Minister of Transportation): During the past year, this government has introduced a series of measures designed to make Ontario's roads safer. Each of these initiatives brings us a step closer to our goal, simply of making Ontario's roads the safest in all of North America.

Our plan for improving road safety has many facets. There are many causes of collisions. There are, of course, many diverse responses that will indeed save lives.

Today, we'll move first reading of the Highway Traffic Amendment Act, 1993, the legislation to allow graduated licensing of new drivers to begin in the spring of 1994, next spring.

In the government's coordinated plan to make Ontario's roads the safest in North America, graduated licensing is indeed an important component, but by no means the only component.

Nous estimons que la délivrance graduelle remportera un succès en Ontario, comme cela est évident et comme cela a été le cas dans d'autres pays à travers le monde, dans le cadre d'un train de mesures qui visent à améliorer le comportement des conducteurs, la cause de 85 % des collisions ici en Ontario.

Nous préparons donc, en réponse, un vaste programme. Ce programme vise à améliorer la sécurité routière qui met l'accent sur le comportement des conducteurs et particulièrement sur le comportement des conducteurs agressifs, des conducteurs inexpérimentés et de ceux qui conduisent en état d'ébriété.

For evidence that these measures will work, we have only to look at the state of Victoria in Australia, where a package of road safety measures fully reduced traffic fatalities by 47% during a short period of three years.

We can change the statistics here as well. We can save lives, reduce injuries and cut the \$9-billion cost of collisions each year.

By introducing measures such as these amendments and Bill 47, our government serves notice that it will not accept the annual price of deaths and injuries caused by collisions.

The legislation I will introduce responds to committee recommendations. We have made two changes to the requirements for new drivers under level 1 of the system.

1350

First, in the revised legislation only one passenger is allowed to ride in the front seat with a level 1 driver. That passenger must be the experienced driver accompanying the new driver.

The second change makes the new driver vehicle sign voluntary for level 1 drivers. We will, however, provide all level 1 drivers with signs they may choose to display.

Graduated licensing has received very broad support from the people of Ontario. I'm happy today to acknowledge the Transportation critics who have shown their concern for safety with strong and non-partisan support for graduated licensing.

I would particularly like to recognize the support of the members for York Mills and Nepean, Mr Turnbull and Mr Daigeler. They have championed graduated licensing. They anxiously awaited its introduction. They contributed to the committee's review of the draft legislation.

Now it is my sincere hope that they shall continue, in the collective, to demonstrate their support as it moves towards the system. Members of the House can be proud of their role in bringing this measure forward.

We are indebted to the all-party committee chaired by the member for Sarnia, Mr Huget, and to the work of my parliamentary assistant, the member for Windsor-Sandwich, Mr Dadamo.

By introducing draft legislation today and by holding an all-party committee review, we have accelerated this legislation. Working together in the same way in the future can only ensure that important measures for the public good come forward as quickly as possible.

I thank the members opposite once again and look forward to their continuing support vis-à-vis our goal of making our roads the safest in North America.

REVIEW OF UNIVERSITY FINANCING

Hon David S. Cooke (Minister of Education and Training): Ontario's universities play an important role in the economic, social and cultural wellbeing of the province. Over the years our universities have adapted to the changing economic and social conditions and have provided Ontarians with exceptional educational opportunities built on a tradition of quality and excellence.

Once again conditions are changing. It is expected that Ontario's future economic growth and prosperity will be based on industries that are knowledge-intensive. By the year 2000 at least half of all new jobs will require post-secondary education. Studies suggest that employees will have to upgrade their skills every four years simply because the pace of technology and the growth of information are evolving at tremendous rates.

Based on these and other trends we can expect demand of university services to grow. Because of this, our universities need to increase enrolments beyond the high levels they are already accommodating today.

As we discuss the need for greater accessibility to university programs, we must also be aware that governments at every level are limited in the financial resources they can give to public institutions. Therefore, like all other publicly supported institutions, universities will

have to find new ways to provide improved services.

Last year the Ministry of Education and Training gave nearly \$2 billion in operating grants to Ontario's universities. I'm aware that there are those who say that that's not enough and that the system needs more. But what is clear is that our universities and this government must work together to find new ways of providing services.

That is why I have written today to the Ontario Council on University Affairs and asked it to conduct a review of the system of distributing grants to Ontario's universities. As you know, OCUA provides advice to me on funding requirements, the allocation of funds, graduate and professional program approvals and any other matters related to the university system. In conducting the review, I have indicated to OCUA that the objectives to consider are as follows.

The first objective is accessibility. Although the universities have provided high levels of accessibility to date, more needs to be done. We must make sure that Ontarians have the opportunity to enhance their skills as they face the economic reality of restructuring and the need to be properly skilled for the jobs of the future.

The second objective is teaching. It's clear that there must be a stronger emphasis on teaching in our universities. Teaching must have a more central role in our universities and finding different ways to deliver university programs to the public must be part of the discussions in this area.

While emphasizing the role of teaching and the learning process, we also recognize the significant role of research in our universities. The relationship of research to teaching and the appropriateness of various sources of funding for research deserve examination in the context of provincial resource allocation.

The third objective is the role universities have in an integrated educational system. It's essential that our universities move to develop a system which permits the transfer of credits not only between universities, but between the college and university sectors and from previous learning experiences. This must be done more easily than the current system allows.

The fourth objective for consideration is developing ways and means to ensure that scarce resources are used efficiently. We should examine putting incentives in place to encourage academic program cooperation, rationalization and sharing between institutions. I believe that the greater differentiation and increased interdependence have the potential to increase both quality and accessibility to Ontario's universities.

Finally, the funding system must encourage sharing and cooperation among our universities, colleges and others, and not become a barrier to accessibility, adaptation and restructuring.

It is critical for the wellbeing of our universities and the province that we have in place a funding system that is suited to meet our priorities with the resources we have available.

With these objectives in mind, the Ontario Council on University Affairs will examine the current breakdown of spending between teaching, administration, research and

community service. OCUA will look at the balance between these areas as well as the accountability for the resources that are dedicated to each.

I want to assure the universities that during this review the corridor system of funding will continue to allocate grants and operate within the existing accountability provisions.

In conducting the review, I'm confident that council will consult thoroughly and widely with students, faculty and staff of the institutions as well as provincial organizations and professional associations. I also encourage the council to communicate with groups representing alumni, parents, labour and employer organizations.

I look forward to receiving the OCUA's advice on this very important issue late in 1994.

DRIVERS' LICENCES

Mr Hans Daigeler (Nepean): Let me say to the Minister of Transportation, in regard to his project with graduated licences, that I'm pleased to see the bill finally introduced. As the minister knows, and as he acknowledged, we've been working with him for quite some time. In fact, the ministry has been working on this project for more than four years and we now finally see it coming to fruition.

I think all of us would like to make sure that we have a debate still in this House, but then that it is implemented. I'm sure it will in fact lead to the safety of our young people and of any new drivers in the province. We're looking forward to the debate, we're looking forward to seeing precisely what is in the bill and we will continue to work with the minister and the ministry on this project.

I should say, though, that as late as this morning we didn't really know what was going to be announced this afternoon, and there were going to be all kinds of other measures that really had nothing to do with the graduated licences. I do hope, however, I say to the minister, to see Bill 74 as well come forward still. We will deal with it. We have already indicated that we also want to have discussion on this. We're supportive and we're looking forward to that measure.

I should say that in his statement the minister is very proud of his safety initiatives and refers to Bill 47. But Minister, just before I came into this House—and this is the problem: you're mixing apples with oranges. Your Information and Privacy Commissioner has just sent us a letter saying that he has the most serious questions about Bill 47. He feels that, really, the government ought to withdraw it. Here's what your privacy commissioner says, "We believe that the Ministry of Transportation needs to re-examine the use of photo-radar and assess other possible mechanisms which may be utilized to achieve improved road safety."

We want to work with you on road safety. I think graduated licences are one step in the right direction. Photo-radar is a totally different matter. I hope we get an opportunity to discuss that as well.

Mr Gordon Mills (Durham East): It's saving lives.

Mr Michael D. Harris (Nipissing): There's not one shred of evidence.

The Speaker (Hon David Warner): Order.

Mr Mills: I can give you plenty.

Mr Harris: Send it over.

The Speaker: Order. The member for Durham East, come to order.

Interjections.

The Speaker: I caution the member for Durham East to please come to order.

1400

REVIEW OF UNIVERSITY FINANCING

Mr Dalton McGuinty (Ottawa South): The good news is that the government has recognized that we've got some fundamental problems in our university system in this province. It's recognized that these problems are directly related to funding and it recognizes as well that unless this government shows some leadership, these problems will not go away.

The bad news is that the government should have come to this realization a few years ago. It's also bad that the crisis which exists in this province in terms of university funding and the lack of accessibility is now going to continue until at least the 1995-96 fiscal year, and that's the earliest opportunity for this government or the next government to implement changes arising from these recommendations.

I hope the minister will direct the council to do whatever it can to establish a funding system which recognizes that university students, whether part-time or full-time, young or old are, in so far as the university is concerned, their client group. Universities exist, obviously, to fulfil a number of obligations, but one of them surely is to serve students and not the other way around.

For this reason, a new formula for funding should reward a university for good teaching, for smaller class sizes and for more contact time. Of course, the university funding must also be geared in such a manner as to reward a university for being accessible to all Ontarians.

University accountability is another big issue of the day and I hope the minister will direct the council to make recommendations as to how universities can be made more accountable: more accountable to students, to taxpayers, to society as a whole. We've got to look at questions like tenure, like sabbatical, like allocation of resources between teaching and research, between applied versus theoretical research. We've got to look at the programs we're offering in this province. We've got to ask ourselves whether those are the kinds of programs we want our universities to offer.

If the council shrinks from these questions, it won't be doing a thorough job and I'm convinced these questions can be asked and addressed in an intelligent manner without unduly interfering with the autonomous role we need our universities to play in our society. Undoubtedly, in the halls of academe, there will be wailing and gnashing of teeth when we broach these kinds of questions, but this government and the council have an obligation to explore that thoroughly in the best interests of the people of this province.

Mr James J. Bradley (St Catharines): You're

zapping the students with tuition increases when you said you'd abolish them, and you're underfunding the universities.

DRIVERS' LICENCES

Mr David Turnbull (York Mills): I welcome the announcement by the minister today of the photo-radar bill. Sorry, Freudian slip; I don't welcome that. I welcome the announcement by the minister today on graduated licensing. This is an announcement which is overdue.

I took the trouble before coming into the House of looking up when I first asked a question to the minister on the issue of graduated licences and it was in November 1991, shortly after I became Transportation critic. Minister, you will recognize that throughout the piece I have been asking you, on behalf of the Conservative Party, to move forward with this very important legislation to make our roads safer and to help our children, and adults who become new drivers, to be integrated into the road system more safely.

I will read the legislation with great interest and I anticipate that there won't be significant changes over the draft legislation which we looked at in the summer recess. You will recall, Minister, that during that time we expressed some concerns with the timing. We believe you should have brought this bill in for first and second reading in the spring and we should have been working on committee during the summer, working with a second reading, and then indeed we should have been able to have implemented it this fall.

Having said that about this bill, I want to move on to the great concern I have. The fact is that your ministry has been trying to pressure the opposition parties into accepting an omnibus bill. The reason for this omnibus bill—I see the minister is pointing his finger at the Liberals; that may well be.

Minister, we need to have longer-truck legislation. You have Bill 74 that you brought in during the spring session. You could have moved forward with this. Instead of doing that, you tried to tack it on to this legislation.

Will you expeditiously move forward with this very important legislation, and in the meantime, will you cancel the fees you're charging for the permits so those people who are waiting for this legislation can immediately order the trucks to stimulate our industry?

REVIEW OF UNIVERSITY FINANCING

Mrs Dianne Cunningham (London North): My comments are directed to the Minister of Education and Training and colleges and universities. I'd like to tell him that we're in support of the letter and the intent of the letter that he sent today to the Ontario Council on University Affairs, asking it to conduct a review on areas that we ourselves have spoken about: accessibility; stronger emphasis on teaching in universities; the transfer of credits between universities, and between college and university and from previous learning experiences; asking the universities to look at ways to encourage cooperation, rationalization and sharing of resources.

I think it's extremely important that in his letter he emphasized that the students going to our universities

must be qualified students and that we're looking for standards first. In fact, he says—this is important—not in his own words but by inference, even for under-represented groups.

I think that the questionnaire we talked about last week left the wrong impression and I hope he takes a look at the wording on this now that I have seen it. It did leave the wrong impression. So we're pleased with the letter today, but we're not pleased with that questionnaire. It sends the wrong message.

I think it's extremely important that he's recognized that universities are important to Ontario's future economic growth and prosperity, that a knowledgeable population will have a better chance and that training and upgrading are equally important.

We certainly know that universities have had to operate on less money, so when he talks about accessibility he's not talking so much about dollars, although he does go on to recognize the importance of teaching. We'll be interested to hear what the universities say about how the professors spend their time in the four different categories.

Transfer of credits and integration across Canadian universities, not just Ontario universities, are extremely important. I think we have to have Canadian standards. Our young people should be encouraged to study in other provinces and sometimes in other countries, but more importantly, we have to get a handle on what's happening here now.

Rationalization has never been more important. I think we want the minister to take a look at *New Directions*, Volume Two, where we have given some ideas on how this can be accomplished.

ORAL QUESTIONS

GOVERNMENT HOTEL EXPENDITURES

Mr Steven W. Mahoney (Mississauga West): My question is to the Chairman of Management Board. Over the past three years, we have brought forward example after example of government waste, but your government still refuses to do anything about it.

Earlier today, I tried to contact the Workplace Health and Safety Agency but couldn't reach anyone because 77 staff members were out of the office at a two-day staff meeting at the posh Guild Inn. The Workplace Health and Safety Agency's offices, as you may know, are on Bloor Street in Toronto. I don't know how big the meeting rooms are at their Bloor Street offices, but there are free meeting rooms at Queen's Park, all within walking distance.

My question to you is, why is the government paying thousands of dollars to hold these meetings at the Guild Inn instead of using the free government meeting rooms in the Macdonald Block, and why has this government done nothing to stop the wasteful use of hotel space for meetings that could be held right here at Queen's Park?

Hon Brian A. Charlton (Chair of the Management Board of Cabinet): The member has raised a question that has been raised here a couple of times before. On every occasion when it's been raised before, when we checked into the meeting rooms that were or were not

available at Queen's Park, they were all being utilized. They are utilized on almost a full-time basis.

The member has raised the question again today. I'm prepared to look into it because I don't know the answer to his question. We will look into it, but the member should remember that the meeting rooms that are available here at Queen's Park are at a well over 80% utilization rate all of the time.

1410

Mr Mahoney: The minister should know they are available—we've checked it out—and they are free.

Minister, this is not the first time that the Workplace Health and Safety Agency has got into trouble for wasteful hotel spending. In the spring of 1992, these same civil servants held a two-day meeting at the posh Queens Landing Inn in Niagara-on-the-Lake. When we questioned the government at that time, the Minister of Labour justified the cost by saying the civil servants got a good deal on the rooms. Now the Workplace Health and Safety Agency has decided to pay \$120 per night for 77 staff members to stay at a two-day retreat at the Guild Inn.

Let me just give you an example of the type of place they're staying in, for your information. It's called: "A garden sanctuary, Toronto's most treasured resort, a country retreat in the city. Set on the crest of the Scarborough Bluffs, the Guild Inn sits among 90 acres of forest lawns and woodland trails. The charm and elegance of our guest rooms, with their picturesque views, will delight visitors."

Minister, how can you justify this? What are you going to do to cancel this waste of taxpayers' money, and what are you going to do to ensure it doesn't happen again?

Hon Mr Charlton: The member opposite makes very good use of a promotional man's or woman's lovely words describing the setting. I would suggest to him, though, that the words describing virtually any accommodations here in Toronto are very similarly written.

I've said I would look into this matter. I don't know what decisions were made or what accommodations were required or what other accommodations were available. I'll look at that.

Mr Mahoney: I understand you could get a free meeting room and lunch included for \$7 at the Macdonald Block instead of the Guild Inn.

I'm glad the minister mentions that those might be words used to describe other facilities in and around Toronto, because the retreat at the Guild Inn is just one example of questionable hotel costs expended by this government. After they promised to crack down on this kind of wasteful spending, after the notorious SkyDome staff meetings, nothing seems to have been done.

Just looking through the public accounts book, which I'm sure you're familiar with, there are hundreds of thousands of dollars in hotel bills spent by this government last year. In fact, this document only lists the worst offenders, where costs by any ministry exceed \$40,000.

Minister, let me give you some examples: The Ministry of Labour at the Holiday Inn, \$81,000; Management Board at the Chestnut Park Hotel, \$47,000; Management

Board at the Constellation, \$63,000; Skills Development at the Royal York, \$61,000; Skills Development at the Holiday Inn, \$54,000; the Attorney General, \$51,000; the Attorney General, \$79,000; the Ramada Inn, the Attorney General, \$50,000; Transportation, the Sundial Inn, \$72,000. The list goes on and on.

Minister, answer the question directly: What is going on? When is this government going to do something about controlling its spending that's currently out of control?

Hon Mr Charlton: The member again is very good at a wonderful flourish here in the House. I'm going to answer his question in three ways: firstly, by saying that this government that he says has done nothing has taken very aggressive initiatives at reducing expenditures, and we'll stack the numbers up against those same kinds of dollars spent by the Liberal administration for five years any day of the week: reductions in travel costs, reductions in accommodation costs, reductions in overtime by 50%.

This government has done a wonderful job. There's still more to be done, perhaps, but we've made significant progress in dealing with the kind of extravagance those characters dealt with as a norm around this place.

PHOTO-RADAR

Mr Sean G. Conway (Renfrew North): My question on one of my favourite subjects, namely photo-radar, is to the Minister of Transportation. Earlier today Ontario's independent privacy commissioner, Mr Tom Wright, released a detailed critique of your policy for photo-radar contained in Bill 47, a bill currently before the Legislature. In his detailed critique, the province's independent privacy commissioner raises a whole host of concerns and objections to your policy.

Minister, have you seen Mr Wright's letter of November 24 in this connection, and what will your response and the response of your government be to the objections contained in Mr Wright's letter of today?

Hon Gilles Pouliot (Minister of Transportation): The member from Renfrew brings a most valid and interesting point indeed. That's the reason why, before proceeding on a full-time value, you have a pilot project. We have no intentions, absolutely none, to invade. In fact the privacy of individuals is a sacred trust with this government. We're only interested in the safety measures initiative that we've announced.

I haven't seen the letter today, for the very simple reason that it demands meticulous analysis, line-by-line examination and our possibility to comply, and we're looking forward to it. More important perhaps, only in the context of the major announcement that we've made regarding graduated drivers' licences, as soon as we leave this august body, the first order of business will be, as a team, to look at the recommendations, for they are indeed taken very, very seriously.

Mr Conway: Happily for the minister, I have a copy of Mr Wright's letter, and I will take a moment to summarize the views of Ontario's independent privacy commissioner on this photo-radar matter. In his letter to the Chair of the legislative committee, Mr Wright

observes about your government's policy in this connection a number of things. Among his concerns are the following.

Your photo-radar legislation, he believes, has the potential to violate Ontario's protection-of-privacy legislation. Furthermore, the province's independent privacy commissioner concludes that your photo-radar legislation will not deter speeding, as the government hopes and has advertised, because, the province's independent privacy commissioner notes, the policy does not have the consequential aspects of drivers' licence suspensions or demerit points. In fact, according to Mr Wright, the policy is a licence for some people to speed, if the British Columbia example is to be credited. Furthermore, the province's independent privacy commissioner writes today that your policy in this connection is a licence for the government to raise money.

Given this detailed and stinging critique of your policy on principle grounds by our privacy commissioner, will you not, Minister, today commit to withdrawing this legislation and doing as the commissioner suggests: looking for better alternatives?

Hon Mr Pouliot: Really, I can only say the following once, and it's not by way of compliment but simply observation: The member opposite is unique in compounding the errors of misinformation.

1420

On the one hand, we have a privacy commissioner when it suits the purpose, and in the very same vein, in the same breath, that privacy commissioner becomes the expert on transportation. The member across is a juggling artist, a conjurer of illusions that find better auspices under a tent or in a sideshow or a tombola.

We will look at the letter. Everywhere where photo-radar has been introduced to save lives we have seen the consequences. We have seen a drastic reduction in the number of fatalities. This is our focus. Let's not get away from it.

You started with privacy. We respect privacy, we commit ourselves. It's a sacred trust with this government, and photo-radar is also a sacred trust in making our roads safer.

Mr Conway: Finally, this week's internal government magazine, *Topical*, has a front-page story highlighting the government's new attitude to raising taxes, the so-called non-tax sources of revenue on fees. This particular edition of *Topical* holds out photo-radar as a very fine example of how this new revenue-grabbing can be done. The government's clear intent is highlighted in this week's *Topical*.

Today we have the privacy commissioner's letter which undresses your photo-radar policy and leaves it standing naked in the wind. The only thing that's hanging out there is a revenue grab.

Would the minister not agree with the privacy commissioner that the time has now come for the government to stop, to listen and to look for a better public policy in this connection, a public policy that has as its primary concern road safety and not tax-grabbing?

Hon Mr Pouliot: Such eloquence. Surely, during

these busy times, the member opposite has better things to do with his time than reeling off, peeling off this parochial Topical review, unless he's looking for a job.

The people of Renfrew who are listening today and place their trust in this member are not paying his handsome wages simply to have him read newspapers in the Legislature.

What is being said here is in error. There is no direct quote from the party. This is how desperate the opposition is. They keep talking about money; we keep talking about saving lives.

ONTARIO'S CREDIT RATING

Mr Michael D. Harris (Nipissing): My question is to the deputy Deputy Premier for the day. Within—

Interjection.

Mr Harris: No, it's not me. I'm still asking the question.

Within the last hour we learned that Standard and Poor's has lowered Ontario's credit rating from AA to AA-. According to the agency, in making this announcement today, the decision reflects your government's weakened resolve to contain its deficit both this year and in succeeding years. It is also thought, Madam Minister, that other bond rating agencies are ready to follow shortly.

Can you tell us today what impact this will have on our deficit, on our ability to borrow money and on the cost of that money if we can borrow it in the future?

Hon Frances Lankin (Minister of Economic Development and Trade): I will attempt to give the member as full an answer as I can and follow up with any additional information directly from the Minister of Finance at a later date.

The news from Standard and Poor's today is certainly very disappointing for this government. In fact, we are very surprised at the actions that have been taken.

The members opposite laugh, but with respect to this government's record in controlling expenditures, there has not been a record of any other government that matches this. For the first time ever in the history of this province, we have seen program expenditures actually go down this year from last year after years and years of seeing them raised at double-digit rates.

We have taken extraordinary action, members opposite will know: the actions with respect to \$4 billion of savings through the expenditure control measures, \$2 billion through the social contract measures. The deficit would have been projected to have been around \$17 billion and we've been able to hold it to under \$10 billion.

For the rating agency to say that there is a weakened resolve with respect to expenditure control in this government is dead wrong. It's very surprising that they would use that as their excuse.

The Speaker (Hon David Warner): Could the minister conclude her response, please.

Hon Ms Lankin: In response to the specific question about whether or not we think that this will cause problems in terms of borrowing money, in fact the credit

rating agency, in downgrading us to a AA- at this point, also put a stable outlook on the government's fiscal situation—

The Speaker: Would the minister please conclude her response.

Hon Ms Lankin: —which means the fact that it's secure for borrowing, and we should be in a position to continue to borrow with ease in the markets at this time.

Mr Harris: Actually, I'm rather shocked that the minister says she was surprised. Last week on the Dow Jones wire, Walter Schroeder, president of Dominion Bond Rating Service, from whom we have yet to hear, was telling all the money-lending agencies things such as this:

"Ontario wants to hit \$10 billion as the magic number, but by our calculations, the deficit is closer to \$11.8 billion. The province is moving capital spending from its own budget on to crown agencies and rerecording those expenditures on roads and buildings as loans instead of the true deficit figures."

Schroeder also goes on to say that the impact of not believing your numbers, of the smoke and mirrors, is such that "it would have a significant impact on Ontario's liquidity and access to long-term debt." That is what the net result is, he says, and this is a week ago. Today you tell me you're surprised.

Minister, the real world out there is trying to tell you, your Premier, your cabinet, your Treasurer and your government something. It's trying to tell you you can no longer live on a credit card, for ever borrowing more and more as if it was so much play money. It's also telling you that smoke-and-mirrors accounting is not going to work, that they see through that, that the true deficit is now approaching \$12 billion.

You knew this was coming today. Your Premier knew it was coming today. The Treasurer knew it was coming today. Yet they're not in the House. We've had no statement and we've had no acknowledgement. Can you tell us why this crisis in Ontario's financial state didn't even warrant the appearance of the Treasurer and a statement in the Legislature today?

Hon Ms Lankin: The member across knows full well that the Premier is in Guelph at this time, and quite frankly I think that we can have this exchange with respect to this issue. The Treasurer will be available to make a statement later on this afternoon. I will continue to say that we are disappointed and surprised at the action of this rating agency, particularly suggesting that this is as a result of a weakened resolve with respect to expenditure control.

Earlier this year the Treasurer made public the fact that as a result of reconciliation with federal government and provincial income taxes, our revenues were another \$800 million lower than what we had expected and what we had forecasted. We moved aggressively to address that through offsets on the expenditure side to the tune of \$500 million. That is an incredible response. We are continuing to control expenditures.

Let me speak now, as a member here, not as a representative of the Minister of Finance. I want to say that—

The Deputy Speaker (Mr Gilles E. Morin): Please shorten your answer.

Hon Ms Lankin: —there's something that surprises me about how credit rating agencies act in this situation. The federal government deficit, we know for last year, went from a projected \$35 billion to over \$40 billion, and the credit agencies didn't blink an eye. For this fiscal year, next week we will hear it will go from a projection of \$42 billion to up to \$45 billion.

Let me say that I still remain surprised and disappointed at this action. I believe that we are doing everything we can to control expenditures, but we are governing in a way that is fair to the recipients of services in this province.

1430

Mr Harris: All I want to say to the minister is this: These are the same bond rating agencies that for 42 years gave us an AAA rating when Progressive Conservative governments managed the affairs of this province. They are the same people. You started losing it on a slippery slope, you big-spending Liberals, mismanagers, and you've carried on the same way. They're the same referees.

Minister, the consequences of this are very serious.

The Deputy Speaker: Order. Question?

Mr Harris: The higher the cost of borrowing, the less money there is for human needs. There is less money for education, there is less money for health care, there is less money for social programs for those who need them, there is less money for skills training, all those programs, those social safety nets that for 42 years we nurtured and cultured and built in this province.

What this means is that the fiscal deficit and the human deficit that we hear so much about these days—

The Deputy Speaker: Order. I would ask your cooperation, please. Question?

Mr Harris: The fiscal deficit and the human deficit we hear so much about these days in fact are one and the same thing, and it has become a crisis because you could not manage the taxpayers' money.

Minister, would you not agree with me that this crisis calls for a new budget today, or at the very least a definitive interim statement on the serious deterioration and worsening state of Ontario's finances?

Hon Ms Lankin: In a moment, I'll come to how Tories share information about deficits and projected deficits, but let me say the Treasurer has released Ontario Finances and the documents that show exactly where we are with respect to the projections for this year's deficit. We have revised those figures in light of the reduction in provincial income tax reconciliation from the federal government. We have revised it in result of further actions that we've taken on the expenditure side.

Let me say that the province's credit rating remains in an AA category. We remain fully capable of borrowing and we are a strong credit performer with respect to the bond agencies. I really, really think that we have to put in perspective what the member opposite is saying with respect to this being a crisis in the fiscal situation. We

remain on track with respect to a strong agenda for controlling expenditures.

But I want to say that we believe we have to have a balance in our fiscal policy. We have to have one that helps us achieve the downward tracking on the deficit but allows us to continue to preserve services in this province and to preserve jobs in this province. There's a balance to be struck here, and to hear the member opposite, in light of the federal Tories' skyrocketing deficit, try to tell us that we haven't been clear with people about numbers is a bit hard to take. He talks about preserving all of these social services and programs. This is the man who on the weekend said that if he were Premier, he would unlegislate, unregulate, untax, ungovern. This is Attila the Hun across the way, let me tell you.

We have a balanced approach, one which will control expenditures, which will preserve services and preserve jobs in this province, and we're sticking to it.

Mr Harris: I knew all the union people were in the audience Saturday; I didn't know you were there as well. But welcome to our party any time.

The balance that we're looking for is a balance between what you say you are going to do and the action that belies what in fact is happening in this province. That's the balance that's missing that the bond rating agencies are seeing through.

ONTARIO HYDRO

Mr Michael D. Harris (Nipissing): My second question is also to the acting deputy Deputy Premier for the day.

Rumours are floating around that Ontario Hydro may soon sell some of its divisions and assets to the private sector. On October 28, for example, the Premier said, "We must examine how we can marry the best traditions of the province and the best traditions of a public utility with the reality of the marketplace." Bob Rae said this. Minister, can we expect an announcement on the privatization of Ontario Hydro in the near future from your government?

Hon Frances Lankin (Minister of Economic Development and Trade): I will refer that to the Minister of Environment and Energy.

Hon Bud Wildman (Minister of Environment and Energy): There are no plans to privatize Ontario Hydro.

Mr Harris: That's fine for you to say. You may not have plans, but obviously your Premier and Maurice Strong are saying other things. Hydro is forecasting a \$2-billion loss this year. It has restructured its internal operations to make it more attractive to the private sector. Hydro chair Maurice Strong has asked Premier Rae to review the legislation over their finances. Yesterday, the Premier said, "It is absolutely essential for us to lever the public dollars that we have in partnership with the private sector to get things moving."

It sounds as though we're on the brink of privatizing Hydro. Are the Premier and Maurice Strong on the brink of doing that?

Hon Mr Wildman: I am sure that Maurice Strong is not going to engage in brinkmanship. I would indicate to the member that we certainly are in a very serious

situation with regard to the future of Ontario Hydro. The restructuring that has been going on is significant. It has achieved a significant downsizing of Ontario Hydro. Yet the financial situation related to the decline in the demand for electricity and the significant debt that Ontario Hydro is facing, thanks to previous governments' decisions to build Darlington, are serious problems.

The restructuring, though, is making it possible for the subsidiaries of Ontario Hydro to indeed get involved with the private sector, to be involved in joint ventures in order to ensure that we can move forward together to enhance the economy and the job opportunities of this province.

Mr Harris: I'm not sure it's acceptable to blame George Drew, who embarked upon the electrification of this province, one of the great tools that for 42 years provided us with hope and jobs and prosperity and opportunity. However, if that's what you wish to do in response, that's fine.

On October 28, when asked about a British-style privatization, Maurice Strong said, "If we move, it won't be ideologically driven; it will be driven by the practical necessity, the advantage, the need of Ontario." That's why he's going to move.

Given the fact that the finances are falling through the roof, given the fact that the deficit is mushrooming far in excess of the previous budget, that the deficit is now at \$2 billion at Hydro, there's a lot of uncertainty about what is happening.

We know you are desperate to find a way to repair your finances. What concerns many is that Ontario Hydro will be put on the chopping block for no other reason than to address your financial woes: not for the sake of efficiency, not for the sake of ensuring an adequate supply of affordable power.

We would like this assurance: that before there is any proposal to fire-sale agencies or divisions of Ontario Hydro, there will be a full debate in this Legislature and full disclosure so that we can ensure that it's not just a fire sale to try and grab some dollars to shore up your treasury, but that in fact it's in the interests of Ontarians.

Hon Mr Wildman: The article to which the leader refers specifically indicates that Mr Strong said there would not be a British-style privatization in this province. In fact, I think all of us can be proud of the fact that this government has attracted such a qualified public servant to the chairmanship of Ontario Hydro that has taken the significant changes and moves to restructure that corporation for the future of this province in a way that no other government has been prepared to do since I've served in this Legislature for 17 years.

1440

ONTARIO'S CREDIT RATING

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Deputy Premier as well. Today we had confirmation of Standard and Poor's downgrading the government's credit rating. The minister will know that the NDP government inherited a solid AAA credit rating from the previous administration.

Interjections.

Mr Phillips: That's a fact. That's a simple fact.

It was in 1991 that you were downgraded the first time. In 1992, you were downgraded a second time. Today we heard what I hoped we wouldn't hear but I suspected we would; that is, that the Bob Rae government has been downgraded a third time.

My question to the minister is this: What are the costs of this downgrade? We believe that the incremental cost simply on borrowing this year will be \$25 million, and the ultimate cost to the taxpayers of this province will be \$200 million a year in increased debt-servicing cost. Can you confirm that this is the number we're talking about, and if that is the number, what does the government plan to do to correct that?

Hon Frances Lankin (Minister of Economic Development and Trade): The member will probably know that I don't have that number readily available for him. I would hope that the Minister of Finance would be able to answer that question more specifically.

With respect to the likelihood of increased costs this year, we do remain fully able to borrow on the markets. The rating, as you will probably know, as it moved from AA to AA- and also went from a negative watch to a stable watch. So that actually is one that assures the markets with respect to the province's borrowing. Most of the province's borrowing is not engaged in short-term borrowing; it's longer-term borrowing, which hedges us against changes in interest rates but also in terms of this credit rating. So in terms of the impact this year, I don't have the number, but I think it's mitigated by some of those factors that I raise.

What I want to say to the member is that, regarding the credit rating downgrade, he makes reference to the fact that this has been the third time this government has experienced that. It's the third time over a period of what has been the most serious recession this country has faced since the days of the Great Depression. He compares that to an AAA rating during the boom years of the late 1980s. He says that's simply a fact.

I have to say it's simply a fact that at that time, there was tremendous economic activity across this country, across North America. We're at a time in which a tremendous recession has taken place, and not just in this jurisdiction. In fact, we remain the third-highest credit rating of all the provinces in Canada. So I would like the member to put that in perspective when he asks these questions.

Mr Phillips: I think that for the minister to indicate this isn't extremely serious indicates she doesn't understand the implications of this. Three downgrades in three years is dramatic. It's serious. It is sending an enormous signal to the province of Ontario. It will cost the taxpayers \$200 million a year in extra interest costs.

I would say to the minister that one of the reasons they've done that is they don't trust the books. They don't believe the numbers. I hate to say that, because I happen to have confidence in the Minister of Finance; I don't have much confidence any longer in the Premier. We have outlined in documents several instances where the government is not coming clean with the numbers.

The rating agencies have seen through the government numbers, and that is why they've downgraded it.

Will the minister today undertake to come back to the Legislature with a budget that reflects what the rating agencies know but what the people of the province haven't been told; that is, that the real deficit in this province is well over \$11 billion right now? That's what the rating agencies have seen through, and that's why we have a lower rating today. Will the minister undertake to come back to the Legislature and present the Legislature with a true set of numbers that will allow us to see what the rating agencies have seen?

Hon Frances Lankin: I reject the premise of the member's question. In the Minister of Finance's documents there has always been very clearly set out what the deficit projections are, what the capital budget requirements are and what the total consolidated borrowing requirements are. Those numbers are not hidden; they are all there. They are in the budget documents. They are in all of the Ontario Finances.

Mr Chris Stockwell (Etobicoke West): Bunk. That is bunk and you know it.

The Deputy Speaker (Mr Gilles E. Morin): Order.

Hon Ms Lankin: For the member to say that we haven't come clean with these numbers is incorrect. It is true that the auditor, as part of a national move, is suggesting that all provinces move to consolidate capital and operating budgets. That is totally different from saying that we are not showing these numbers. The consolidated borrowing requirement is there and it's very clear.

Mr Stockwell: Why wouldn't the auditor sign the books?

The Deputy Speaker: Order, the member for Etobicoke West. Minister.

Hon Ms Lankin: I didn't for one moment suggest that the fiscal situation facing the government was not a serious one. If this government did not believe it was not serious, we wouldn't have taken extraordinary steps to move from what was a projected \$17-billion deficit to bring it down below \$10 billion. Of course we think that this is serious, but for the member to give credence to the stated reasons behind the credit rating downgrade, that we are somehow not controlling expenditures, is to mislead the public. We clearly have, for the first time in history, brought in an expenditure program which is less than it was in the previous budget, the first time in the history of this province that has ever happened.

I would conclude by saying that we will have an opportunity in the next few months, as the new federal government tries to come to terms with the inherited deficit and increased deficit, projected to be more than \$12 billion over projection, to develop what I hope will be a national response to this situation, which exists in every province and federally.

I would point out that the federal government can borrow money cheaper, has interest rate policy, monetary policy, has policies in its hands that provinces don't. I hope the new federal government will not continue the practice of passing off the debt to the provinces as the

former federal government did, to the tune of \$28 billion that we are paying for in Ontario now.

The Deputy Speaker: I would ask you to try to shorten your answers.

INVESTIGATION INTO POLICE SHOOTING

Mr Robert W. Runciman (Leeds-Grenville): I have a question for the Solicitor General. Minister, it's 48 days today since the murder—perhaps a more appropriate word is "execution"—of Constable Joe MacDonald in Sudbury. Following that murder, as you know, Mr Clinton Suzack, an individual who was out on early release granted by the Ontario parole board, was charged along with another individual for that murder.

You committed yourself to having a so-called independent inquiry conducted within 30 days following the murder. As I said at the outset, it's 48 days now, Mr Minister. Can you indicate to the House, to the people of the province, especially Constable MacDonald's family, where that report stands and when we can expect to have it tabled in this House?

Hon David Christopherson (Solicitor General): As I indicated in this House, I did commence an investigation into and a review of the decision. I have received the investigator's report. Upon receiving that report, I forwarded it to freedom of information officers as well as to the Attorney General, criminal law division. I have been advised by them that as a result of freedom of information considerations and, in particular, possible prejudicing matters that are now before the courts, it is not legally appropriate for me to release that report.

It is my intention, however, that at the conclusion of the matters that are before the courts, given freedom of information considerations at that time, the report will indeed be publicly tabled and made available for all to review.

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Mr Runciman: That's a nauseating response. That's the impact it has on me. I'm telling you, we are just sick and tired of this kind of response in terms of investigations like this. We get the same kind of response time after time: No answers in respect to this. When we do finally get a version of it, it's politically sanitized to protect the tail of NDP appointees and not to try to get to the bottom of some very serious concerns.

That board is dealing with something like 57 reviews a week. We had an individual murdered and we need some answers. The family certainly needs answers. Police officers in Sudbury want answers. I think the public of Ontario wants some answers.

The terms of reference of the study had nothing to do with the arrest of that individual; they had to do with how the parole board came to this decision. That's all, Mr Minister; nothing to do with what you're talking about, nothing that's before the courts.

We want to know from you today, preferably today or in the very near future, what action you're going to take in response to what occurred here. Obviously, a mistake was made. We have all the facts; you have all the facts. There's no justification for that individual being out on the streets. You know it and I know it.

When are you going to tell us exactly what you're going to do in response to what happened, especially Mr Suzack being out on the streets?

Hon Mr Christopherson: I have stated already that I have accepted the investigator's findings. I am taking and will continue to take any action that is appropriate, but unlike the honourable member across the way who wants to create his own justice system, we have an established justice system. I have asked the Attorney General's office, not myself or my personal assistants, but the Attorney General's ministry, criminal law division, for a legal opinion as to the releasability of the report and I have advised the honourable member of the advice I was given. For me to do otherwise would be an absolute abdication of the responsibilities bestowed upon me as Solicitor General.

SOCIAL ASSISTANCE

Mrs Irene Mathyssen (Middlesex): My question is to the Minister of Community and Social Services. We know how important it is that social assistance dollars go where they are most needed. There's a good deal of public concern and sensitivity, I might add, about the issue of welfare abuse, even though we know it's not widespread, only about 3% of social assistance expenditures. Our government is taking some initiatives in this area.

Recently in my riding, the city of London council hired investigators to recover social assistance dollars. My questions are, how much money will be recovered, how will this money be reallocated and how will this reallocation be cost-effective?

Hon Tony Silipo (Minister of Community and Social Services): I appreciate the member having given me notice of this question so that I was able to provide her with some details as well as dealing with the broader issue that is raised.

As I've indicated on various occasions in the House, we do take the question of abuse and fraud in the system quite seriously. The specific initiative the member refers to is one of a number of initiatives that are under way now which have come out as a result of the enhanced verification initiative we put into the system last spring as part of our expenditure control plan.

In this particular instance there is a team of additional staff being hired with additional funding from the ministry. The expectation the city of London has set is that it believes it can recover something in the neighbourhood of \$2.5 million or \$2.6 million that is now, it believes, being overpaid and that when that is netted against the cost of the staff it will result in a net savings of about \$1.9 million. Obviously, those dollars will then be used in the system to ensure that support continues to be given to those people who need it.

HIGH-ALCOHOL BEER

Mr Steven Offer (Mississauga North): I have a question to the Minister of Consumer and Commercial Relations and I'd like to ask a page to take over some information. Madam Minister, my question to you is on the issue of high-alcohol beer. You will know that these beers are at least 42% stronger than regular beer and 78%

stronger than light beer. I have received information from the group Mothers Against Drunk Driving which indicates some disturbing information obtained from the Traffic Injury Research Foundation, and I've just sent that information over to you.

I would like to give you one example of the information we've received: A female up to the weight of 120 pounds will be over the legal limit for one hour after consuming only one bottle of high-alcohol beer.

Minister, your government has done nothing to ensure that consumers are aware of how strong these beers are relative to what they are accustomed to. How do you justify the fact that your ministry has done absolutely nothing to educate consumers about the impact of extra-strength beer?

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): I'm sure the member is aware that I met with—I'm trying to remember all of the names, all of the anti-drinking and driving groups—MADD and PRIDE and some of the others about this very issue shortly after Labatt's released its high-alcohol-content beer. In fact, to the member, who asked why I didn't do something about it, I have done something about it. I expressed that very day my concerns, which are very similar to the issues expressed by MADD, Mothers Against Drunk Driving, and all of these groups.

What we have done is meet with the industry and tell them very clearly that they were to take some volunteer action immediately and get back to us; otherwise we would be looking at higher pricing and modifications in advertising. The industry has come together and has in fact come up with a voluntary code around this which I am tentatively endorsing at this point in time, but we will be watching very closely to see how this works.

Mr Offer: By way of supplementary, your government has taken absolutely no action around the issue of responsible advertising. Yes, the industry has voluntarily agreed to a national code on marketing high-alcohol beer, but you have merely said that you are pleased and you endorse the code.

In April 1992 you said that you didn't think voluntary guidelines would do enough to eliminate, in that case, sexism in beer advertisements. Yet now you seem to believe that voluntary guidelines are good enough to ensure that consumers, particularly impressionable young people, are fully informed about the effect of extra-strength beer.

Minister, voluntary guidelines are one thing. You have totally abdicated responsibility on this issue. Will you commit today to bringing in a series of public service announcements informing young people, informing the servers of beverage alcohol and informing the general public about the impact of high-alcohol beer?

Hon Ms Churley: First I'd like to say that high-alcohol beer is not new in Ontario. About 15% of the market already is high-alcohol beer. Some of it I think goes up to 31%. The introduction by an Ontario company, a Canadian company, of a new high-alcohol-content beer has certainly raised the issue. I think that's positive. But it's not the first high-alcohol-content beer ever to be

introduced in Ontario. They have been available to the public for quite some time.

We are working directly with the industry, and I think successfully. When I met with MADD and the others, we talked about the kinds of issues that are of the greatest concern. Certainly, marketing to youth is obviously a very grave concern. I expressed that to the industry. They know what needs to be done.

Are you suggesting that the government, when we're in a recession, when today you're all on your feet talking about how high the deficit is, take on the responsibility of the industry to start advertising and letting people know out there itself and paying for it itself that this is a higher-alcohol-content beer? I'm sorry, but they cannot keep having it both ways. It is their responsibility.

I, as minister, and this government are making sure that they meet their responsibilities and market this correctly and properly and let the people of Ontario know about this beer. That is their responsibility and they should pay for that.

1500

COURT SYSTEM

Mr Charles Harnick (Willowdale): My question is to the Attorney General. What does the judiciary think of your plan to automate court reporting in Ontario?

Hon Marion Boyd (Attorney General): I think it's fair to say that there are mixed feelings. We certainly have had some judges, particularly those who are familiar with and have taken the time and the trouble to look at the modern technology that is available, who are willing to see through the pilot testing of automated court reporting whether or not we can guarantee the integrity of the record, and they are prepared to look at the situation in that way. They certainly would not be prepared to go to a system which includes all automated reporting at this point in time, because there is some nervousness on the part of the bench.

The other issue is that our judiciary works closely with court reporters and has genuine anxiety for the sanctity of the jobs of the people with whom they've worked, and has made very strong representation on behalf of those employees, that they be redeployed and still have work available to them if they are affected by the pilot projects.

Mr Harnick: I wish the Attorney General had the same concern for the sanctity of those jobs as the judiciary does. The real crux of this problem is that we have the minister telling the judiciary how to administer its courts.

I introduced a private member's resolution that would have transferred the responsibility for the financial and administrative control of the courts to the judiciary from the minister. Do you not think that in administering the courts in Ontario, the judiciary should be allowed to decide how to allocate the resources available?

Hon Mrs Boyd: We are certainly moving, in the work that we're doing with the Provincial Division, through the memorandum of understanding that I signed with the chief judge, towards a day when there is more management responsibility for the judiciary itself. I

certainly support the ability of the judiciary to have a greater sense of control over the management. On the other hand, it is the responsibility of the ministry, to this House, to the government and to the taxpayers of Ontario, to be mindful of the costs of administration of justice.

One of the issues that we are facing is how to maintain the integrity of the court record and do that in a way which takes advantage of technology that has never been available before. We cannot afford to have our courts be the Jurassic Park of the technological era, and many of our judges are well aware of that. We also must be prepared to look at ways in which we can redeploy staff and make them more available so that as we reform the court system, we can use those employees in a way that is more flexible and in a way that allows us to have better administration of justice.

WORKERS' COMPENSATION BOARD

Hon Bob Mackenzie (Minister of Labour): Back on the 17th of this month, the member for Mississauga West asked me: "Do you agree with Mr Di Santo that Mr King made an incorrect statement to the committee and misled the committee?" It's a question that had been asked in this House a number of times prior to that particular day, and the answer is the same as has been given in the past.

Mr King, as the member knows, reappeared before the committee to clarify any misunderstanding which may have arisen from his previous remarks, and the committee as well had a letter from the auditor saying that he was fully satisfied that the issues had been resolved between him and Mr King.

Mr Steven W. Mahoney (Mississauga West): Obviously, the minister did not understand the question, because it had never been asked before. It couldn't have been asked before because Mr Di Santo made the remarks in committee the very day I asked you the question.

If I could help you, Minister, Mr King said in Hansard: "As a matter of fact, the company that held the real estate holdings of the new building that WCB is building had been audited by the public auditor." The auditor said that was not only not a matter of fact, that it was indeed incorrect. My question to Mr Di Santo was, "Do you agree with the auditor that Mr King's statement was incorrect, not a statement in fact, and indeed misleading to the committee?" Mr Di Santo said, in answer to my question, that Mr King's statement was wrong.

My question, Minister, was very simple. Do you agree with Mr Di Santo that Mr King's question was wrong and thereby misled the committee? If indeed you agree with your chairman of the Workers' Compensation Board, will you fire Mr King?

Hon Mr Mackenzie: As I said earlier, I find it strange that the question keeps getting asked, when the auditor himself has said that he is satisfied with the answer he got back from Mr King. I would also say to the member across the way that I'm getting a little tired of his fishing expeditions and witchhunts with the board when the problems at the board are because of Bill 162, which you people were responsible for.

LANDSLIDE

Mr Jean Poirier (Prescott and Russell): I have a question of the Minister of Municipal Affairs. As you know, last June the people of Lemieux in my riding witnessed one of Ontario's largest landslides in its history. Over 20 hectares of land on leda clay, one of the world's most unstable soils, slid into the South Nation River, producing one of Ontario's greatest natural disasters. Incredible numbers of large trees, root systems and soil have accumulated to create a major, dangerous dam across the river, holding back a huge volume of sediment-laden water that awaits to rush down the river once the dam breaks.

Since June, there have been numerous attempts by various groups to approach you and your cabinet colleagues to impress upon you the horrible time bomb sitting there waiting to explode at any time. The federal government has made available \$350,000 to hire people to clean up the mess this fall, sir, on condition that your government comes up with a measly \$100,000 for the required specialized equipment.

That federal money is still waiting for your share that you refuse to contribute. Your delay in responding has caused the situation to become a lot more dangerous and expensive, to the point that some entrepreneurs are now refusing to get involved in proposals to clean up because of the serious risk to human lives.

Next spring, your government will definitely face a multimillion-dollar damage repair bill because you have refused to liberate \$100,000 so far. As you and your government have been telling Ontarians that you are serious about reducing costs, why the heck would you rather spend millions over the next few years than come up with the \$100,000 now?

Hon Ed Philip (Minister of Municipal Affairs): I haven't refused to do anything. It's under the Minister of Natural Resources. I refer the question to him.

Hon Howard Hampton (Minister of Natural Resources): I want to thank the—

Interjections.

Hon Mr Hampton: I'd like to answer, Mr Speaker, but apparently it—

The Deputy Speaker (Mr Gilles E. Morin): Order.

Hon Mr Hampton: The member has spoken eloquently, but I think he knows, as other members in this House know, that when you have this type of situation which might be termed a disaster, there is a process, and that process basically requires municipalities to come up with some of the money and the province will come up with some of the money. I've had ongoing discussions with the member. I know he's spoken to people from the Ministry of Municipal Affairs. We will do what we can to help the situation, but the municipalities involved will also have to come up with some of the money.

1510

REPORTS BY COMMITTEES

STANDING COMMITTEE

ON REGULATIONS AND PRIVATE BILLS

Mrs MacKinnon from the standing committee on regulations and private bills presented the committee's report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr45, An Act respecting the City of Toronto

Bill Pr65, An Act to revive Region 2, I.W.A. Building Society.

Your committee begs to report the following bills as amended:

Bill Pr57, An Act respecting Children's Oncology Care of Ontario Inc;

Bill Pr64, An Act respecting York-Durham Heritage Railway Association.

Your committee further recommends that the fees and the actual cost of printing, at all stages and in the annual statutes, be remitted on Bill Pr57, An Act respecting Children's Oncology Care of Ontario Inc. and Bill Pr64, An Act respecting York-Durham Heritage Railway Association.

The Deputy Speaker (Mr Gilles E. Morin): Shall the report be received and adopted? Agreed.

JUDICIAL INQUIRY

The Deputy Speaker (Mr Gilles E. Morin): Minister, I believe you have a point of order.

Hon Marion Boyd (Attorney General): I wish to advise the House that the report of a judicial inquiry, pursuant to section 50 of the Courts of Justice Act, into the conduct of the Honourable Judge Walter Hryciuk was delivered to the Lieutenant Governor this morning.

The inquiry was recommended by the Ontario Judicial Council and was conducted by the Honourable Madam Justice Jean MacFarland of the Ontario Court (General Division). I have been provided with a copy of the report, and pursuant to the act it is now my duty to table the report in this assembly.

The report concludes that Judge Hryciuk's conduct is incompatible with the office of a judge and recommends that he be removed from office.

I will be taking a few days to consider the report and will have no further comment until I have concluded that review. Copies of the report are being distributed through the mail boxes to each member of the House.

INTRODUCTION OF BILLS

HIGHWAY TRAFFIC AMENDMENT ACT
(NOVICE DRIVERS), 1993LOI DE 1993 MODIFIANT LE CODE DE LA ROUTE
(CONDUCTEURS DÉBUTANTS)

On motion by Mr Pouliot, the following bill was given first reading:

Bill 122, An Act to amend the Highway Traffic Act / Projet de loi 122, Loi modifiant la Loi sur le Code de la route.

Mr Murray J. Elston (Bruce): On a point of order, Mr Speaker: Before you proceed, we have not yet had the tabling of the previous report. It must happen before you can move to the next order.

The Deputy Speaker (Mr Gilles E. Morin): Minister, do you wish to make a statement?

Hon Gilles Pouliot (Minister of Transportation): Briefly, our government is committed, as you know, to

making Ontario roads the safest in North America and this by 1998. Today, we're introducing graduated licensing legislation that will help us reach that goal. Traffic fatalities are a leading cause of death in this province. Sadly, traffic collisions are the leading killer of young people in Ontario between the ages of 16 and 24, but statistics show that all new drivers, regardless of their age, have a much higher collision rate than drivers with several years of experience.

Studies show that it takes between two and five years to develop all the driving skills and judgement needed to avoid collisions. This graduated licensing program, which already has the support of most members of the provincial Legislature, allows inexperienced drivers to gain driving experience gradually in conditions where they face low risks.

During the summer months, a committee of this Legislature sought public input on the draft bill tabled in the spring. Two changes—

Mr David Turnbull (York Mills): On a point of order, Mr Speaker: I'm under the impression that these remarks at first reading of a bill should be only brief and note the high points of the legislation and not give some editorial.

The Deputy Speaker: The member for York Mills is absolutely right, and I wish that everybody would be aware that when a bill is introduced the remarks should be extremely brief. You're not debating the bill, you're not reading the bill, you're just giving a short explanation of the bill. So, Minister, I would ask you to abide to this.

Hon Mr Pouliot: Thank you, but this is crucial for the safety and in fact I'm speaking for some people who no longer have a voice—

The Deputy Speaker: Minister, please.

Hon Mr Pouliot: I am about to conclude. First, only one passenger is allowed to ride in the front seat with a level 1 driver and that passenger must be accompanied by an experienced driver; second, a vehicle sign identifying a level 1 driver as a new driver will be voluntary; and, finally, for your consideration, kindly, graduated licensing will help curtail the more than 1,100 deaths and 90,000 victims that occur every year on Ontario roads.

The Deputy Speaker: Order, please. You'll have ample time to debate it. Please. I've asked you to keep it short.

Hon Mr Pouliot: One sentence, Mr Speaker. I appreciate your kindness and your fairness, your courtesy indeed. The measures being introduced today build on our strategy to make Ontario's roads the safest in North America. I thank you for your courtesy and tact, Mr Speaker.

ORDERS OF THE DAY

TIME ALLOCATION

ATTRIBUTION DE TEMPS

Mr Charlton moved government notice of motion number 16:

That, pursuant to standing order 46 and notwithstanding any other standing order in relation to Bill 100, An Act to amend the Regulated Health Professions Act,

1991, the standing committee on social development shall be authorized to meet beyond its normal adjournment time but not later than 12 midnight on its regularly scheduled meeting days for the purpose of conducting public hearings; and that the committee shall complete clause-by-clause consideration of the bill on Tuesday, December 7, 1993. All proposed amendments must be filed with the clerk of the committee prior to 12 noon on the abovenoted day. At 5 pm on that same day, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee shall interrupt the proceedings and shall, without further amendment or debate, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. Any divisions required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 128(a).

That the committee be authorized to continue to meet beyond its normal adjournment if necessary until consideration of clause-by-clause has been completed. The committee shall report the bill to the House on the first available day following completion of clause-by-clause consideration that reports from committees may be received. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to be reported to and received by the House.

That upon receiving the report of the standing committee on social development, the Speaker shall put the question for adoption of the report forthwith, which question shall be decided without debate or amendment, and at such time the bill shall be ordered for third reading.

That two hours be allotted to the third reading stage of the bill. At the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment.

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes and no deferral of any division pursuant to standing order 28(g) shall be permitted.

The Deputy Speaker (Mr Gilles E. Morin): Minister?

Mr Steven Offer (Mississauga North): Why don't you time-allocate your own speech?

Hon Brian A. Charlton (Government House Leader): The member opposite suggests I should time-allocate my own speech and I shall do that in very short order. I will ask all honourable members to follow my example.

This time allocation motion dealing with Bill 100 is a time allocation motion that comes forward today simply because of an inability between myself and the opposition House leaders to reach agreement on the scheduling of witnesses before the social development committee hearing presentations on Bill 100.

The steering committee of that committee recommended, and the committee has requested, the right to sit additional hours to hear the witnesses. That's the request

of the committee but, for whatever reason, we've been unable to get agreement out of the opposition House leaders and the two opposition caucuses to proceed to fulfil the wishes of the members to hear all of the delegates and to get this bill completed before the Legislature adjourns for the winter break.

1520

I know that members opposite will get up and say that this government is again ramming through another piece of legislation, but I would suggest that the rhetoric here in the House is less a reflection of reality than the sincere comment of the committee members themselves and their desire to see this legislation completed and proclaimed in this province without any further undue delays.

Those members from all parties who have been involved in this issue I think better than the rest of us understand its importance rather than perhaps its partisan politics in the larger forum of this Legislative Assembly.

Again, it's with regret that I proceed with this time allocation motion, but the motion is a motion that's designed to allow the committee to sit the extra hours it has requested to hear the deputants who want to make presentations on this bill before we deal with the final passage of this legislation. It's unfortunate that it has to happen this way, but after several weeks of trying to reach agreement, as House leader for the government I've been left with very little other option. So here we are today.

I commend this motion to all members of the House in the understanding that sometimes those who do the work around issues like this are in fact correct in understanding the importance of a matter like this one proceeding and proceeding quickly.

Mr Offer: I am taking part in this debate, and I wish that we did not have to once more debate another time allocation motion, another in a series by this government which has done nothing less than institutionalize time allocation in the Legislature, which, for another word, is just shutting out the public.

The member may talk about this as an issue of partisanship. Well, I get real worried when they speak of partisanship and that there shouldn't be any and then themselves embark on what clearly is the voyage of political partisanship in their motions, because what this type of a motion does is exclude the public. It excludes the public from taking part in a committee process.

It excludes members of the Legislature from voicing the concerns of their constituents, from voicing the concerns of others who may not be their constituents but people interested in a piece of legislation, from using their member, from using a member of the Legislature, either by letter or through the constituency office or through Queen's Park, to say: "Here is the piece of legislation in a committee. Here is my concern, and I would like to be a part of that committee process, and, secondly, for you to bring forward the concern which I have raised."

In many cases, it doesn't matter what the issue itself is, it's the process that is most important, because when you institutionalize these time allocation motions, what you

are doing is you are shutting the door on thousands, hundreds of thousands, millions of people, preventing them from taking part in a very real way as to how the legislation should proceed through the Legislature, as to how committees should progress.

The House leader today does nothing less than to say, "This time allocation is the stick that we are going to use to beat down anyone who wants to comment on a particular piece of legislation." The sad thing is that it is not the first time this weapon has been used. The government uses these types of weapons day in and day out.

I know that those who are speaking on the issue of photo-radar, another piece of legislation, are themselves the subject matter of time allocation. A piece of legislation which has caused great concern throughout the province—

Mr Jim Wilson (Simcoe West): On a point of order, Mr Speaker: It is with regret I note that the House does not have a quorum. On such an important motion I think we should have a quorum, Mr Speaker.

The Deputy Speaker: Would you please check if there is a quorum.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Deputy Speaker: The member for Mississauga North.

Mr Offer: We are debating an important motion and it is a motion which is without question slamming the door on many people in this province, on many community groups and really, in large measure, it is stopping us as legislators from doing the thing for which we were elected.

Before the call took place I was talking about the fact that this is just another in a series by this government of institutionalizing time allocation, institutionalizing closure. I was using the example of Bill 47, I believe is the number, which is the photo-radar. It's a piece of legislation which has caused great concern throughout the province.

There are those who feel that that piece of legislation is wrong. They are concerned that the piece of legislation has nothing to do with highway safety, is rather a licence to speed, and the government has used time allocation, I believe two days, to hear the public on an important piece of legislation of great concern. This piece of legislation carries the same impact.

We have to start to ask ourselves, why is it that the government seeks to impose on the people of this province, not just on the members of the opposition and in fact on their own members, time allocation? Why is it that they seek to impose on the people of this province the shutting out, the locking of these legislative doors so that people who are concerned with pieces of legislation, people who want to take part in committee processes, people who want to share their thoughts, their experiences, their expertise, can't do it? They can't do it

because of motions such as this.

I know those who might be watching on the legislative channel either live or later on this evening will be saying, "What exactly is a time allocation motion?" Basically what it does is it limits debate and it limits the public consultation process. Basically what it does is it says to a vast number of people: "You can't take part in this legislative process. You can't be part of a committee because we have allocated the time." That basically shuts people out, because there are many more people who want to be heard on this legislation and as well on other pieces of legislation.

It is a dangerous weapon. I don't refer to it as a tool. It is a dangerous weapon freely exercised by the government. Never before in the history of this province, I would predict, has time allocation been used by any government as much as this government now.

1530

What does that say? It says that there is a government that is in chaos. It is a government that doesn't know how to order its own matters. It is a government that doesn't like to hear opposition, so the best way to do that is to shut the doors to any opposing views. Far be it that the opposition just comes from elected representatives. There is opposition on a vast array of legislation by this government throughout the province. The government feels that the easiest way to listen to those groups is to shut the door so it doesn't have to hear them.

The problem you have is that you suffer. You should suffer, and rightly so, because what you are doing is cutting out the reason for which we are here. You are cutting out the reason for which we have committee hearings. You are cutting out the reason that people should be part of any legislative process, and that is to voice their concerns, to voice their opinions, to share their expertise so that any piece of legislation becomes either a better piece of legislation or, by listening to the people of the province, something that should never be passed into law.

You don't want to hear that. You don't want to hear comments that can improve legislation. You don't want to hear comments from individuals who are opposed to the legislation. You want to carry on in terms of a shell of existence. You want to put over you a cone of silence, and for that, the legislative process is very much weakened.

I can tell you that many people are not going to forget how you have used this type of weapon. They are not going to forget how you have shut the door on their being part of the legislative process. They are not going to forget that you have, in an arrogant, self-centred way, ordained what should and should not be, to the exclusion of the people in this province, the people we have been elected to serve.

For that, I stand opposed to this particular motion. I stand opposed in principle. I stand opposed to the fact that it is just one of a number of motions of time allocation which do nothing less than say to the people of this province, "We don't want to hear you."

This government is wrong. It is wrong in its policies;

it is wrong in the process in which it drives its policies through this Legislature. And for that, I hope that all members of this Legislature, including members on the government side—because you are shutting the door on your own constituents—will stand up once in the life of this Legislature and say no to the motion of your House leader: "No, it is wrong to exclude my constituents. It is wrong to exclude anyone's constituents who want to be part of the legislative process."

I only hope that the members, not only in the opposition but also in the government, will say that motions to exclude people from legislative processes are wrong, motions that exclude people from being part of any hearing are wrong. This motion is wrong, and we will vote against it.

Mrs Dianne Cunningham (London North): I'm standing here to oppose this motion to close off opportunity for the members of the committee to hear all of the information that I think is very important in dealing with a very important piece of legislation, Bill 100.

Everybody knows that Bill 100 is An Act to amend the Regulated Health Professions Act. The Regulated Health Professions Act has been discussed in some form or another, or at least the need for it has been discussed, in our communities across this province for probably as long as eight or nine years. It's taken a very long time to come to a conclusion with regard to those discussions and with regard to the wording so that all parties could agree, as far as possible, to the final solutions contained in that piece of legislation. I think the success in the end was because we did indeed take the time to do it right. This closure motion this afternoon does not allow us to take the time to do the amendment correctly and with the kind of input that's necessary to make it an amendment that we can all support, that we can all be proud of: one that is extremely, I think, controversial but necessary.

In the last few days, we have in fact received from the government—I'm now talking about all members of the committee—the consolidated report, Regulated Health Professions Act, 1991, commonly referred to as the RHPA Bill 100, and proposed government amendments.

Mr Speaker, you yourself I know have sat on committees of this Legislative Assembly in the past. It's one of the processes down here that I've not always been proud to participate in. On some occasions I have, but in the majority of cases I think we've looked at legislation in a manner that we wouldn't look at any other rules in society. That is, we get a piece of legislation. We look at it for a few days. The government of the day gets dug in. We ask the witnesses to travel from all parts of the province: regular, everyday citizens, professionals, sometimes interest groups and others. Often we don't listen. More frequently, we don't do our homework, which I've accused members of this Legislative Assembly of before. But I think the underlying point that I'm trying to make is, we need the time.

We received these amendments at the beginning of this month. It's been very difficult to get them out to individuals: not as difficult to some of the professional groups, but certainly to individuals, and as everyone knows, we're trying to meet the needs not only of the profess-

ionals in the medical community today but of the patients, who have often referred to themselves as victims in corresponding with those of us who represent them. I think under those circumstances it's even more important that we take the time to do it right.

Mr Speaker, if you could just take a look at what we're having to deal with here: absolute pages of amendments. When we get up to page 6, section 43, part I, there are whole columns of amendments on that one section. We take a look at a very controversial one where there is disagreement with regard to clause 1(3)c, where the Ministry of Health proposes to strike out this provision and substitute a new provision. This is the tentative wording, whatever that means; this would be the amendment, the one with regard to "behaviour or remarks of a sexual nature by the member towards the patient that are demeaning, seductive or exploitive". Section 1(4): MOH proposes to delete this provision, which is one we've talked about before, and then, with regard to section 4 of clause 1, no further amendment proposed at this time. This is all new. It's taken a lot of time to discuss the implications of every word in committee so far.

It's my understanding that we've had one day of public hearings where in fact the professionals have had an opportunity for input. We're now closing debate on this motion with just a few hours left, and this is probably one of the most important pieces of legislation that this government's going to have to deal with.

My recommendation to the government would be this: If in fact they do want to come out with some important legislation before the break at Christmastime, whether the House will prorogue or otherwise, why don't they just come out with the Regulated Health Professions Act, bring it to the House for approval and then in the break take a look in a very careful way and listen to all of the possible input we can get with regard to these pages of amendments.

In fact, they haven't even been written up in the normal form that you would look at legislation in this regard. Just pages in a loose-leaf binder; that's all I've been able to get. If somebody has something different, I wouldn't mind having it. But at this point in time, if there is one I'd like it. But at this point in time, the best that we've been able to get are pages of amendments.

1540

What does this really mean? I guess I could speak on behalf of anyone who has written. This letter is on November 22 to all concerned MPPs and staff, Queen's Park, from Sylvia Catherine Bradley, Out of Patients Advocacy Network in Toronto, regarding public hearings on Bill 100, and I read and quote:

"The standing committee on social development has allowed only three days of public hearings on Bill 100." This is before the closure motion. "We understand the importance of having this bill reviewed and returned to the House for third reading quickly. It would be preferable that it be passed so that Bill 43 can be amended to adequately address the issue of sexual abuse by health professionals before Bill 43 is proclaimed into law at year's end.

"However, once again, victims are being victimized by the system that is supposed to protect them". The very thing that we're trying to do in our committee, in fact, is to protect victims, and this particular individual who represents the Out of Patients Advocacy Network, is saying that we're victimizing them by allowing just three days of public hearings.

Interjections.

Mrs Cunningham: Mr Speaker, I don't know why we have to be interrupted when we're trying to make a statement or reading from a simple letter that somebody wrote to us. But I would appreciate it if in fact I could get on the record on behalf of the people who have let us know that they want their voices heard.

"Once again, victims are being victimized by the system that is supposed to protect them. The first day of hearings," tomorrow, "is entirely given over to professionals and their advocates. Only a very few of the advocates for victims have been assigned any time on the last two days of the scheduled hearings, and we are told that there is no time left."

These are the feelings of so many citizens across this province. It's not a matter of having three more days; it's a matter of not having perhaps as many as six more days, and having them at a time when families can be here, not late into the evening when it doesn't matter, but during the day with some time's notice, perhaps a week or two's notice.

Mr Larry O'Connor (Durham-York): You refused to hear it. It's easier for women to get out in the evening.

Mrs Cunningham: The member for Durham-York is saying it's easier for women to get out in the evening. That's not the point. The point is that there are more than 50 letters from people who want to talk about being victims, and it's extremely important that we have scheduled the amount of time necessary. I sat on this committee just a week ago and I knew that this week there would be two days, and I knew that the two days this week and next week would not be enough, given the briefs and the letters that I received as an individual member.

Interjections.

Mrs Cunningham: Members of the government—not all of them, but a committee member of the government is saying that we refused to sit late. That's not what I'm talking about. I'm talking about this being an untimely way to complete hearings, whether we sit late or otherwise, on a piece of legislation that should be bending over backwards to get input from victims and others who are interested in helping us in a very sensitive area in the administration of health care in our province.

I really do commend the government with regard to the processes that they've used with the regulated health care legislation, the Regulated Health Professions Act. But it took a long time, and the reason that we're all there supporting it is because, to the best of all of our abilities, with a lot of agreement sometimes to agree to disagree, we got behind it and supported it because it was the best we could do collectively. Pushing citizens around like this is not going to get the support of the citizens of

Ontario, and I really object to a closure motion on such a sensitive piece of legislation that affects, at least according to the witnesses and according to the authors of this report, the Task Force on Sexual Abuse of Patients.

In fact, I have to say thank you very much to Marilou McPhedran, the chairperson; Harvey Armstrong; Rachel Edney; Pat Marshall; Roz Roach; and Briar Long, coordinator, for the work they did in, I think, very difficult circumstances to help us in making recommendations in this regard.

They talk about their mandate and they talk about making the recommendations work. They talk about their list of recommendations. They talk about what happens next.

I have to say that two days for this legislation, given the kind of input we've been able to receive with regard to all kinds of information that would be helpful to this government, is simply not enough.

As I take a look at the report of the Ad Hoc Coalition of Regulated Healthcare Associations on Bill 100, Submission to the Standing Committee of the Legislature on Social Development, I have to say that in the introduction it says, "Several of the associations who are members of the coalition also intend to appear before the committee to present their respective views on issues or concerns other than those raised in this submission." That is a very important statement. The expectation of the Ad Hoc Coalition of Regulated Healthcare Associations on Bill 100, which put this report together, is that other associations would indeed have the opportunity to appear before the committee.

It's extremely important, if we're going to have consensus, that we be able to question witnesses, ask what their intent is and actually get updates from the individual groups and individuals with regard to the more recent amendments we're looking at.

When they talked about the objectives with regard to Bill 100, they talked about a number of amendments. "In order to be effective, they stated that Bill 100 must be and be seen to be reasonable, fair, balanced, comprehensive and not unduly intrusive." How can we be seen to be reasonable, fair and balanced if we don't take the time to listen to people?

I really wish this government had had more effect on changing the system of committees down here. In fact, they might do that in the next year. They've certainly heard many of us complaining about it. We shouldn't be rushing through important, ground-breaking legislation that has been needed for such a long period of time without having the support and confidence of the public that we represent, not only of medical groups but of patients and victims. They have a right to tell their story. We as elected officials should be thanking them for wanting to address our committee.

It says another objective of Bill 100 is "deterring sexually abusive behaviour by health care practitioners." In order to do that, there has been new language recommended for the one controversial section, which I've lost, but others who are more knowledgeable than myself will

remember it. Let me see if I can find it quickly. I can't find it quickly. It's hard to find things quickly when you've only looked at them for a few minutes, so I'll just leave it for the moment.

Mr Jim Wilson: On a point of order, Mr Speaker: Once again, I believe that with such important debate on the matter of sexual abuse, the government should ensure that this House has a quorum.

The Acting Speaker (Mr Noble Villeneuve): Is there a quorum present?

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: The honourable member for London North may resume her participation.

1550

Mrs Cunningham: I was actually referring to section 3, the definition of sexual abuse of a patient and the proposed government amendment as being one that's going to take some time to look at on behalf of both the physicians and the victims of sexual abuse in physicians' offices or other places.

The Ad Hoc Coalition, which we are grateful to, I'm sure would appreciate the opportunity to be part of a process where there's some confidence in the government with regard to not asking people to come down here a couple of weeks before Christmas and into the evening. It's not a matter of my availability or my caucus members' availability.

I think that the Health critic, Jim Wilson, who has been following this on behalf of all of us very carefully, will be speaking later this afternoon. He can probably say it much more succinctly than I myself with regard to the accusations by government members; I haven't heard them myself. But I have this afternoon heard the member for Durham-York, where he accuses us of not being available in the evenings. That's not the fact.

The fact of the matter is that if you really do respect the witnesses, you will give them lead time. You won't ask them to come to this Legislative Assembly next week in the middle of their schedules. I think you will give them a fair bit of lead time. Obviously he's feeling somewhat threatened because he knows that this is not possible, given the closure motion we're dealing with today.

This coalition is in complete agreement with each of these objectives that this legislation is trying to address. They state that:

"We approached our review of Bill 100 and evaluated each part of Bill 100 against the objectives. The recommendations we have made in this submission, after extensive and invaluable consultation with victims and survivors, victims and survivors groups, the regulatory boards, MPPs and government officials, are designed to improve the workability and effectiveness of Bill 100 in achieving these objectives."

Some time during the second week of November, I

was able to send this consolidated report out to the health care professionals and victims that had been in touch with my office. We've not heard a lot back from them yet with regard to the proposed new amendment by the government. I certainly would appreciate the time to get advice from my own riding, which I think is a riding that's particularly interested in health care and in the provision of professional health care on behalf of professions that are expected to do such.

I'd like also to talk about the reaction with regard to the bill on behalf of Dr Joan Downe, the president of the London Academy of Medicine. She's "not surprised that so many doctors object to mandatory reporting of potentially abusive gestures or remarks, because their meaning may be misunderstood. As well, it may be more effective for a doctor who encounters a colleague making such remarks to challenge that person, correcting their behaviour, than be forced to report them to the college."

I'd certainly be interested in her recommendations on the new wording, as I would be in the other list of some 73 individuals who keep us informed with regard to issues in health care in London and Middlesex. We haven't had time to get that, and I think that two nights next week is totally irresponsible, even if we sit after 6 o'clock. It just seems to be a problem for the member for Durham-York.

Mr O'Connor: I have no problem sitting in the evening.

Mrs Cunningham: The problem for the member for Durham-York is that he would like to tell the public that we don't agree to sit. We do agree to sit.

Mr O'Connor: Good. Let's get the House leader in.

Mrs Cunningham: The problem is that we would agree to sit during the break. We're not just going to agree to sit for two nights so that the government members can go home early for Christmas. We would like to work in January and in February and get input from victims and health care professionals themselves.

Mr Chris Stockwell (Etobicoke West): Mr Speaker, on a point of order: We agree to sit and we'd also like to sit with a quorum.

The Acting Speaker: Do we have a quorum? Could the table check if indeed there is a quorum present.

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The Acting Speaker: A quorum is not present.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: The honourable member for London North may resume her participation in the debate.

Mrs Cunningham: Because we're talking about quorums etc, I think it's a good time for me to certainly let the public, who may in fact be interested in this motion this afternoon—another closure bill on behalf of the NDP government, which has probably put forward more closure bills in its session than all other governments in the history of this province combined.

We expect that they perhaps will do more because, you

see, what they haven't learned is that in a democracy, such as we're privileged to be part of, people have to learn to give and take. Because you don't always win in committee, that doesn't mean to say that the opposition members who represent the majority views of the public from time to time have to give in to these closure motions and have to give in to the threats of the committee. That's what's happening to us.

Sometimes I've attended committees where very few of the government members have had anything to say representing their individual constituents. They take their marching orders from whomever is the whip of the committee and the others hardly ever have an opinion. I have no idea where the thrust and the force is coming from for closure on this bill. I don't know whether it's coming from the minister, whether it's coming from the Premier or whether they just want a nice little Christmas present, something they think will be received positively by the public of Ontario to prove they've done some work.

I don't know what the thrust is, but I know one thing, and that is that the people who have been abused and who have something to tell us about that abuse and whom we want to talk to us about the new definition ought to be able to be heard. They need some lead time to do that. They shouldn't be rushing to come down here in the evening before Christmas. Their responsibility, which they're prepared to accept, especially those who have young children in school, is to support their families and their children during these times. They want to take part in the festivities of the holiday season which will be beginning in our schools in full force next week.

The Ontario Physiotherapy Association, in its submission to the standing committee of the Ontario Legislature on social development, said, "We congratulate the provincial government for the introduction of Bill 100, the starting point for dealing with a very difficult issue." The starting point meant to them, in discussing their recommendations for change to the bill, that they had an opportunity to speak at all stages. My view is that "all stages" includes new recommendations as distributed on November 4 in the consolidated report of the Regulated Health Professions Act and proposed government amendments.

I would challenge the government and ask it if in fact it's gotten out to the groups that have already spoken and may have something different to say with regard to the proposed new amendments.

They say, "The commitment of the Ontario government to legislate against sexual abuse in an unbiased, efficient manner is strongly supported by the members of the Ontario Physiotherapy Association." I wonder if they would consider a closure motion before their colleagues and before patients have been heard unbiased and efficient? I doubt it.

"Bill 100 raises serious concerns for those practising in our profession. We unquestionably support the principles addressed in this bill." That's great; we should be proud of it. "However, we fear the potential implications on the caring and physical components of our practices if this bill remains unaltered." They have not had an opportunity to take a look at the new amendments.

How about the Ontario Psychological Association, another group that I deal with, a group that's very active actually in London, Ontario? They feel very strongly that the committee should take the time to listen to all witnesses. It would be the nature of their work that people listen and that people have an opportunity to be part of the democratic process. That is not happening with this closure motion that's before us today.

1600

Bill 100 is an act to amend the RHPA, as we know. "To members of the social development committee: Given the limited time available to presenters, this submission is being circulated for your information in advance of today's hearings. We look forward to discussing this with you later today." This is from the Coalition of Colleges and Transitional Councils.

I just have to tell you that even given the 15 minutes, many groups were not pleased with the lack of opportunity they had in making their points and answering questions from the members of the committee.

They say that "colleges are responsible for the regulation of health practitioners in the public interest. This duty is fulfilled through such activities as scrutinizing applicants for registration, discipline, quality assurance and assessing fitness to practice." That has been their role. Do you not think that if we have pages of new amendments tabled just last week, the colleges would like to have something to say on the record in committee about this?

We have never, as long as I have been in this Legislative Assembly, which is for more than five years now, had bills presented to the committee and hundreds of amendments tabled weeks and months later. We are going over legislation ad nauseam, rewriting hundreds of new amendments, and regulations from time to time. We just wonder, who is advising the government? Who's doing the work? Who has respect for process?

Then, when they don't get their way, because most of us haven't had the time to consult with the experts and the citizens we represent, they bring forward a closure motion. One wonders some days if we are participating in a democratic process.

Therefore, I have to say in closing my observations on this motion today that one of the very first responsibilities I had as an elected member of this assembly was to represent the Legislative Assembly of Ontario five years ago in the province of British Columbia, where in fact there was a seminar put on by the Association of Legislative Assemblies of the Commonwealth.

We were looking at procedures. I was very proud at that time to say that in Ontario we had probably the best track record of any provincial government on the whole issue of closure. At that time, 1990, I think we may have experienced some seven or eight closure motions, the responsibility of both the Conservative government for some 42 years and, at the time, the Liberal government for, I think it might have been, two or three years.

We carefully, in order to make that presentation, researched the Hansards of the Legislative Assembly of Ontario. It would be most interesting to see the consistent

viewpoint of the New Democratic Party members in the Legislative Assembly at that time, including today's Premier, Mr Bob Rae. No one could have been more vocal or adamant about this process—no one. It wouldn't matter what Hansard anybody looked at.

Now, as a matter of convenience, to make themselves look as if they're doing something and hoping to badger the opposition members in a democratic process and, more important, to muzzle witnesses, professionals in the field of medicine, health care providers, homemakers and, more important, victims of sexual abuse and members of advisory committees to this government, they are bringing forth a closure motion on this very important piece of legislation.

It is with regret that I've had to put these remarks on the Legislative Assembly record this afternoon. This is one of the reasons—these closure motions, the lack of interest and really hearing from grass-roots Ontarians, from family members and women—that this government, I believe, will never be elected again.

Mr Drummond White (Durham Centre): It is with a great deal of pride that I rise to speak on this motion and this bill. I'm proud to be part of a government that is finally moving and working substantively in this very significant area, an area of sexual abuse of clients by health care professionals.

The member opposite speaks of the importance of this issue, and it is a significant issue. It's an issue that has been with us not for three years, not for a decade or a generation, but for generations upon generations and decades after decades, and there has been no substantive action to this point.

The issue through three governments has been a follow-up, a very slow process with the RHPA. It has finally come to legislation. The amendments to the RHPA, this specific issue, this specific bill, are finally coming to our attention and to our Legislature.

I'm proud to be part of a government that is acting. As legislators it is our duty, the duty of all of us, to act in the public's best interests, to act here in the interests of those professions, yes, but also of those many, many victims of abuse by professionals. It is important for us to establish codes that regulate those professions and ensure that such abuse does not occur. It's a responsibility of all of us when we are here in this chamber to act not simply as members of the governing party, the third party or the opposition in a way that reflects partisan politics, but particularly in a bill such as this, to act in a way which reflects well upon our community and upon our Legislature.

I worked for many years with adults who were molested as children. I saw them not only in the day, but every week I spent an evening with groups. It is essential for people like these, who have been abused in a rigid and totalitarian way, that they have people who are flexible and accessible to them.

It is essential that they have someone who will spend that time in the evening with them, just as I did for many years. At the end of those evenings—they were very, very difficult group sessions—I was usually exhausted

and tired; so are we here, but we owe it to those many women—I say women because most of the people involved are women—to sit those extra hours in committee to hear their testimony. Just as caring mental health professionals do, so do we. It is to our credit that we should be doing that too. Frankly, if we do not have that flexibility, if we do not have that accessibility to those victims, I think it reflects badly upon us.

At this point, to cut off debate, to not allow people that access during evening hours, is a bad reflection upon our institution. That's why I am supporting this motion to allow people the opportunity to come before our committee to express their concerns.

1610

These are people some of whom were abused decades and decades ago by professionals. These are people, and I know many of the people personally, who have been shut out by those very colleges that are now being reformed, and they need to be heard. They need to be heard on their terms as much as is possible. They need to have that access, that flexibility, that opportunity to express themselves to a trusting person. That is what happened to them for the most part when they were abused. That trust has been abused and it takes a long time to restore it.

When I speak of those many, many people whom I know, I know them by name. I know them as Josephine, I know them as Nancy, and I know a few of the men as well. Their tragedies should not be repeated. I think it behooves us to rise above partisan politics and to afford them security and a trusting environment with professionals, something that will not be offered if we just drag this on. They need that access and they need to know that after 10 years of debate on these issues, they will have the security of a regulated health profession wherein they will be able to make full complaints and have appropriate hearings and have supports.

At a partisan level—I'm a member of a profession that's not recognized in this group—I could say this bill should not go forth because our profession, social work, is not recognized, and it is after all the profession that works most closely with these people. But I'm also a legislator and I know it's in the best interests of most clients that while perhaps some professions are not recognized, some are.

If they have those protections—and hopefully some day our government will move forward to offer protections across the board to all such people—when these people have been molested, have been abused, they need those protections and they need that security. I think it would be shameful for us to be rigid and inflexible when people who have been so abused need that access.

I hope that the members of the Legislature will reconsider a partisan approach to such an important issue and allow this bill and this debate to move forward.

M. Bernard Grandmaitre (Ottawa-Est) : Il me fait plaisir de parler sur l'avis du gouvernement, qui veut encore une fois limiter le débat en Chambre.

Je crois que c'est devenu une pratique du gouvernement actuel de limiter le droit de parole, la démocratie

non seulement dans cette Chambre mais devant le grand public qui veut se présenter devant nos comités pour s'expliquer, et en plus de ça, pour nous donner des idées pour mieux améliorer les lois dont nous sommes responsables dans cette Chambre.

Encore un fois, c'est une journée sombre, je le répète, dû au fait que le gouvernement actuel a obligé, a mis en place ces mêmes limites pour la Loi 47. On l'a fait pour la Loi 8 sur les casinos, on limite les débats, aujourd'hui on parle de la Loi 100 et la semaine dernière on voulait faire exactement la même chose avec la Loi 77.

Imaginez-vous lorsqu'un gouvernement ou un député du gouvernement exige que, «Oui, nous allons présenter un projet de loi en Chambre, mais par contre, nous voulons avoir la garantie que ce projet de loi sera passé le plus tôt possible.»

Alors, je me souviens, et je suis sûr que vous vous souvenez des grands débats sur l'assurance-automobile lorsque le gouvernement et l'opposition du temps faisaient face à ce genre d'obstruction. La loi a été changée en 1991 pour accommoder le gouvernement d'aujourd'hui, le gouvernement actuel, pour lui donner les pouvoirs nécessaires pour passer sa législation, et je crois qu'un gouvernement majoritaire a le droit d'employer ces lois-là.

Mais par contre, lorsqu'on dévie — et moi j'appelle ça dévier de la loi — lorsqu'on emploie d'autres moyens pour faire passer un projet de loi quelconque qui empêchent les gens de pouvoir s'exprimer, je ne peux pas accepter ça. C'est inacceptable, en 1993, pour un gouvernement qui a été élu sur ses bonnes promesses.

Pourtant, en 1990, ce gouvernement, qui parlait d'un gouvernement ouvert, qui parlait d'un gouvernement démocratique, qui voulait que le petit des communs ait accès non seulement à l'édifice mais à toutes les lois et ait accès surtout à nos comités pour qu'on entende ces gens qui sont satisfaits ou mécontents des projets de loi — je crois que ça reflète le manque de respect que ce gouvernement-là a aujourd'hui envers notre institution, notre Chambre lorsqu'on met les blocs, comme on dit en bon français, lorsqu'on empêche les gens de s'exprimer. C'est devenu, je le répète, une pratique qu'on veut pratiquer tous les jours.

Je comprends que Noël approche et que les députés néo-démocrates veulent retourner à la maison. Mais par contre, nous avons des Conservateurs et nous avons des Libéraux qui fêtent Noël mais Noël est seulement le 25 décembre. Présenter une telle résolution, une motion en Chambre aujourd'hui voulant limiter les débats du projet de loi 100 est inacceptable.

En plus de ça, comme vous le savez, les trois partis s'échangent une liste prioritaire de projets de loi à venir dans cette Chambre. La chose a été faite en septembre, et aujourd'hui on s'aperçoit que le gouvernement ne respecte pas sa propre liste prioritaire.

Jour après jour, on ajoute des projets de loi qui n'ont jamais fait partie de cette liste prioritaire-là. C'est une marque contre notre institution. Nous, les politiciens et les fonctionnaires, sommes critiqués tous les jours par les gens de l'Ontario que nous sommes inefficaces, qu'on ne

peut pas nous faire confiance et que ce sont des jeux, comme celui d'aujourd'hui, qui donnent aux politiciens et aux politiciennes, qui doivent vraiment être responsables de leurs actions, le mauvais nom.

Un gouvernement qui n'a pas d'agenda saute de crise en crise. Les gens de l'Ontario vont se souvenir de l'injustice qui se passe aujourd'hui et de l'injustice qui se passe à peu près dans tous les projets de loi. Je siège au sein de plusieurs comités et on présente des projets de loi. Le projet de loi n'est même pas accepté en deuxième lecture, qu'on lui présente une dizaine ou une trentaine —

The Acting Speaker: The member for Simcoe West on a point of order.

Mr Jim Wilson: I don't mean to interrupt my honourable colleague. However, with an issue of such importance before the House, I believe the government should have a quorum in this House.

The Acting Speaker: Would the clerk please check to see if indeed we have a quorum.

Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

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Senior Clerk Assistant and Clerk of Journals: A quorum is now present.

Le Président suppléant : Le député d'Ottawa-Est peut continuer sa délibération.

M. Grandmaître : Je ne vais pas recommencer et perdre le temps des gens mais par contre, je le répète : lorsqu'un gouvernement exclut la participation du public et exclut la participation des députés de cette Chambre, ce gouvernement n'est pas responsable de ses actions, c'est sûr, mais n'est pas responsable en Chambre. Ça, c'est important.

Comme je le disais tantôt, on nous présente des projets de loi en comité et la deuxième lecture n'est pas encore terminée qu'on nous présente une dizaine ou une trentaine de modifications. Imaginez-vous, puis sans règlements : les règlements, ça va venir plus tard. Quand la Loi sera passée, alors là on va encore changer les règlements sans revenir en Chambre pour en donner des explications.

J'allais dire que c'est malhonnête, mais ce n'est pas acceptable — le mot n'est pas acceptable, je crois, en Chambre — qu'un gouvernement ait ce pouvoir-là, ait cette liberté de conduire, de gérer ce gouvernement de la façon dont il le fait.

Le gouvernement néo-démocrate, le gouvernement ouvert au peuple, à tous ces gens-là, limite encore une fois et met en menottes, rend muets les gens qui veulent participer. C'est inacceptable, en 1993, une telle action d'un gouvernement néo-démocrate.

Pourtant, lorsque M. Rae était dans l'opposition, et vous en avez été témoins, on sentait qu'on pouvait avoir confiance en M. Rae parce que M. Rae avait les réponses à tous les problèmes qui existaient en Ontario. Il avait les solutions. Pourtant, on le voit agir depuis l'élection de 1990, et je sympathise avec lui parce qu'il fait face à une

situation financière très difficile qui n'a pas été causée par l'Ontario. C'est un problème global, mondial. Mais par contre, lorsqu'on voit le gouvernement présenter ou tenter de présenter des projets de loi pour venir en aide aux gens qui souffrent dans la province de l'Ontario, on s'aperçoit que le gouvernement a très peu de solutions, et je le répète, de crise en crise.

En 1993, si le gouvernement de M. Rae tente de passer les menottes à tout le monde, de nous dire que pour chaque loi nous allons avoir un temps limite pour les discussions, ce n'est pas un gouvernement néo-démocratique, ce n'est pas un gouvernement démocratique. Il devrait changer son nom.

Je vais demeurer en Chambre pour entendre les membres du gouvernement qui vont débattre cet avis, qui vont appuyer cet avis et dire que c'est une bonne chose de dire aux gens de l'Ontario : «Nous avons un gouvernement majoritaire en place et merci bien pour l'élection de 1990. Nous n'avons pas besoin de vous.» C'est une insulte et c'est une injustice qu'on fait aujourd'hui.

Le Président suppléant : Je remercie l'honorable député d'Ottawa-Ouest pour sa participation. Further debate?

Mr Grandmaître: Ottawa East.

Le Président suppléant : Ottawa-Est, excusez. The honourable member for Simcoe West.

Mr Jim Wilson: It's another sad day for democracy in the province of Ontario. As the member for Ottawa West has pointed out so eloquently—Ottawa East, excuse me. It's much like my riding; they get Simcoe East and West mixed up.

As the member for Ottawa East has so eloquently pointed out, Bob Rae would certainly not have put up with this type of behaviour from a governing party during his many, many days and years in opposition. It seems to me that the government's intent is to pass this legislation as quickly as possible. I will get to the machiavellian reason for that; I will get to the truth in this House.

But I do want to say that if their objective is to truly debate this bill and to hear from all of the stakeholders, to hear from victims, from survivors of sexual abuse, to hear from health care professionals, then I do not understand why we have this closure motion, why they want to close down debate. It seems to me that any logical person would see that that's certainly a contradiction and would see that the truth of the matter is that the government doesn't want victims or survivors of sexual abuse to actually read what is in the legislation.

This has to be unprecedented. We have had two days of committee, Monday and Tuesday of this week. The first day was spent on strictly ministerial briefings, with no public or stakeholder input whatsoever. It was simply the minister beginning with what I thought was a rather eloquent and comprehensive statement of this legislation, and then we had briefings from the bureaucrats and a brief chance to ask the bureaucrats and the government lawyers questions about the legislation. But there was no public allowed on Monday.

On Tuesday, just yesterday, we finally got to hear from half a dozen groups, which, I may add, only represented

health care professionals. That was the first day. We've yet to even hear from the survivors of sexual abuse, from their advocates, from their families, from their friends, from our families, our friends, and from our constituents. We've yet to actually hear from individuals of the public who know because they've lived through the trauma of sexual abuse; they know of its devastating consequences on their lives and on their family lives. Yet we have the government bringing in a motion to close down debate, to censor and close down the committee hearing process.

All of the evidence, in the short hearings we had yesterday, indicates that there are a lot of significant flaws in this legislation. In particular I remember the Ontario Chiropractic Association and the Board of Directors of Chiropractic passionately making the plea that we must come to consensus on some of the outstanding concerns that are still out there with respect to this legislation, and that consensus will take more time.

We're not talking about delaying the implementation or passage of this legislation for weeks and months. We are talking about a few more days. I think it's rather childish for the government House leader to have brought in this closure motion to once again censor and close down our right to debate what has to be one of the most important pieces of health care legislation to ever come forward in this province.

The point was made by the chiropractic association yesterday that if we don't get this bill right during this round, it may be at least another decade before this Parliament will once again revisit this issue and open up the Regulated Health Professions Act. That indeed very much concerns me, because if we don't get it right, my view, standing here today and from what I heard yesterday in the short hearings we had, is that if this bill is to proceed as written it may in fact have the effect of backfiring on the survivors of sexual abuse, on the victims themselves. I think that's an extremely serious point.

At the outset, I want to reiterate in this House the philosophy of my party, the Ontario PC Party, and where we stand with respect to the entire issue of sexual abuse. In particular with this legislation, the issue concerns sexual abuse by health care practitioners on their patients.

1630

Our party, as you know, Mr Speaker, has repeatedly expressed our full commitment to a philosophy of zero tolerance of sexual abuse of patients by doctors and other health professionals.

Since the release in 1991 of the final report of the College of Physicians and Surgeons Task Force on Sexual Abuse of Patients, members of the PC caucus have supported improvements to both the responsiveness of the college's process and services for survivors. Our party believes that legislative measures to proceed towards the goal of zero tolerance are absolutely necessary.

The steps taken to remedy the problems identified in the work of the task force—and I give full credit to Marilou McPhedran for the work of the task force and the College of Physicians and Surgeons for having

initiated that task force and stuck with it. Indeed, actually to this point it has implemented the vast majority of the recommendations that were made by that task force.

But those problems that were identified must be further explored. Some were left unresolved. We have to be able to do so in a sensitive and timely fashion, and I agree with the government on that point.

But I will tell you that to bring in a closure motion after only one day of public hearings is absolutely unprecedented. It makes my blood boil. In fact, if the government's idea of this motion is to actually have us consulting, I want the government to know right now that I've had to cancel meetings this afternoon so that I can waste time in this Legislature debating this absolutely draconian motion.

Earlier this week, they closed down debate on photo-radar because they don't want the public to know that it's simply a cash grab. It will generate about \$100 million in its first year. We have a government official in one of the government's own publications—this was brought up by the member for York Mills yesterday—indicating that indeed it is one of the most creative revenue generators this government has ever thought of; ie, it's one of the most creative taxes that this government or any government in the history of Ontario ever came up with. I am opposed to that initiative.

Last week, we had the government bring in a closure motion, close down debate on the issue and the legislation dealing with casino gambling, that from a party that was totally opposed to casino gambling—in the past and believed it was a tax on the poor. I think they were right in that regard, that those who can least afford to gamble away their money are the ones who disproportionately end up spending their money on gambling. But no, the government didn't want to hear from the public on that particular issue, so it jammed that one through the Legislature.

Last year we saw the government change the rules of this House. I think it's unfortunate the public isn't fully aware of the constraints we're already under as a result of the new rules the NDP brought in. We're extremely limited in our ability to debate any issue and any piece of legislation. But no, the government's not satisfied with that type of gutter politics; it decides that it has to also, on a continual basis, every week now, bring in closure motions and close down debate.

They are bringing in a closure motion here today and we haven't even had debate with respect to this issue. It's absolutely mind-boggling. In fact, I never thought I'd see the day when a government, without actually having any debate, brings in the motion to close down debate. You tell me, Mr Speaker, whether that makes any sense whatsoever.

It's no wonder to me that these people are at 13% by some polls, 6% in the federal polls. The NDP party is not interested in listening in any way to the people of Ontario. They are not interested in any way, in my opinion, in allowing survivors of sexual abuse the time to thoroughly read this legislation, the time to go through it in a thoughtful way. It will take days to do that, and they're not allowing us the time to do that.

As I said, to be clear, yesterday when we came up to vote on the closure motion with respect to photo-radar we had to leave the committee for the 20 minutes it took to come up here and vote. We left three groups in abeyance until such time as we could get back down to committee. Committee members agreed to ignore the clock at 6 o'clock yesterday and to extend those committee hearings until just around 7 o'clock so we could hear from the groups that had been scheduled to appear. We did that as a gesture of goodwill. We didn't want to inconvenience the groups.

We had to come up here and then we found out that we had to vote on a closure motion on photo-radar, at the exact same time the government House leader was tabling today's closure motion on Bill 100, on an issue that is of utmost importance to all of the people of this province. They don't even want debate. The closure motion itself says that regardless—and I want to read this. I think it's really important. It says in the NDP's motion:

"The committee"—that's our committee—"shall report the bill to the House on the first available day following completion of clause-by-clause consideration that reports from committees may be received. In the event that the committee fails to report the bill on the date provided,"—the date dictated—"the bill shall be deemed to be reported to and received by the House."

I want survivors of sexual abuse and everyone in the province to be clear that regardless of what we do in the few days we have in committee downstairs, whether or not we're finished clause-by-clause, whether or not we have fixed the bill—and we're told by both survivors and by health care professionals that the bill is in desperate need of being fixed—whether or not we've done that, this government doesn't care, because the report of the committee will be deemed to be reported to the House and passed by the House.

It's mind-boggling. I can't think of a more polite term. I can think of a lot of terms that aren't as polite. Once the report comes up, Big Brother, who has already made up its mind on this, doesn't want to hear about these committee hearings. They don't want to hear from survivors. I'll get to why they don't want to hear from survivors in just a couple of minutes, because I think you'll hear a pin drop in this House when I express what's really going on here.

They don't want to hear from survivors because they'll pass this motion at a quarter to 6 tonight, regardless of what that committee does. That's an absolute insult to the dozens of groups and individuals scheduled to appear at that committee. It doesn't matter what you say, because this government's already decided what the bill's going to look like in its final form. If the committee isn't finished its business, well, it doesn't matter; the report will be carried by this House.

To add insult to injury, it says that only two hours will be allotted for third reading of the bill—two hours. We can't fix the bill in committee; regardless of what we do there, it's a done deal. It comes up here, it goes through the motions here and if there are any absolutely outstanding issues from survivors of sexual abuse at that point which they feel absolutely must be dealt with, because

they feel they're being run over roughshod by the health care professions or whatever, we get two hours of debate and no mention that the bill will be opened up here on the floor of the House.

It's just been a consistent pattern of not wanting to hear from the people of the province. I don't know why the government doesn't wake up. I've no idea why they don't want to hear from the people of the province. As far as I can tell, in dealing with a number of the NDP members, they simply feel their job is to come here and warm the benches.

In my riding I have the parliamentary assistant to the Minister of Health next door, over in Barrie and Simcoe Centre. My 1-800 line for my constituency goes into his riding. His constituents can use it. I get more calls from that NDP member's riding where people have said, "We can't get an appointment with him," or, "We had an appointment. He told us he was a lawyer and he didn't know much about health," or, "He didn't know much about social services."

I'm doing about a third of that gentleman's constituency work on top of the 90,000 or 80,000 constituents I have to deal with. It's my pleasure to do so, but I also now have the added responsibility of dealing with many of the constituents in Simcoe Centre. They have told me—I didn't think of the line—their independent opinion is that he must be simply there to warm the benches, because he's not there to represent the people of Simcoe Centre and the city of Barrie area. I say to them, that is simply reflected in today's, yesterday's, last week's, last year's and last month's closure motions. They don't want to hear from the province of Ontario.

Remember, they were the party that always knew best. You couldn't outgreen them; you couldn't outsmart them; you couldn't outdo anything. In all-candidates meetings in the last election, they had all the answers. They're just running roughshod right over the people of Ontario.

1640

What we're talking about again is simply pleading with the government for a few more days, and those committee sitting days may actually go into the month of January. I'm perfectly prepared to cancel any plans I might have had in early, late or mid-January to come back to this Legislature in a thoughtful way, to sit in committee and to hear from the people of this province. That's my commitment to the survivors of sexual abuse and it should be the government's commitment, but no, it's not interested in hearing from anybody on this stuff.

The government I think is desperate to pass this legislation because there are a couple of really serious outstanding issues. I worked closely with Marilou McPhedran and she will back that up. During the months and hundreds of hours we spent dealing with the original bill, the Regulated Health Professions Act, 1991, we worked very hard to bring in amendments at that time to deal with the issue of sexual abuse by health care practitioners.

Those amendments, I must say, were defeated by the government members in committee and, unfortunately, the Liberal members at that time voted against those

amendments that I brought forward to that particular bill.

We worked very hard, and the report of the Task Force on Sexual Abuse of Patients by the College of Physicians and Surgeons made it very clear that one of the things that absolutely must be included in this legislation is that when a physician or a health care practitioner is convicted and found guilty of committing sexual abuse, the fine the province levies against that health care practitioner, the money from that fine, should go into what at that time we were calling a victims compensation fund and in this legislation before us is called the therapy and counselling fund; that the money from those fines should go into the pool of money to assist survivors of sexual abuse to get the counsel and therapy they need to help get their lives back in order after such a traumatic experience, and often experiences, in their lives.

Lo and behold, I don't think the government wants the people of Ontario, in particular survivors, to know it's going to get rich on the issue of the sexual abuse of patients. Under this legislation, fines will be levied against those found guilty of committing sexual abuse. Those fines will go to the government of Ontario and not into the survivors compensation fund. The fines are pretty hefty: \$25,000, up to \$35,000. It's \$35,000 every time a doctor or a health professional is found guilty, convicted and fined, and that money goes to Floyd Laughren and Bob Rae and Dr Ruth Grier. It doesn't go to help survivors; it doesn't go at all.

One of the fundamental recommendations coming out of the task force report a couple of years ago was that that fine money should go to help survivors. The government shouldn't be getting rich on the backs of the victims of sexual abuse, and that's what this legislation does. I think that is abhorrent, absolutely abhorrent.

For years the government told us, when it was in opposition, that it was always possible to have legislation where fines could go into designated funds to help, in this case, the survivors of sexual abuse. They've done a complete 180-degree turn on this one. They have decided in their lack of wisdom that, no, that money can't go to survivors, that it should go to the treasury of Ontario, and it'll be spent on roads and bridges or driving day care operators out of business or driving small business out of business—all that ideological stuff the government is wasting the taxpayers' money on. That's where the money is going to go from the fines.

I tell you, it's disgusting, absolutely disgusting. It's gutter politics, and I think they were trying and they are trying to ram this legislation through so that survivors of sexual abuse won't catch on to that.

They provided me with the opportunity today, in a rather machiavellian way, to make that point public before the people of Ontario. I hope, in what limited committee time we have available, that people will get down here and give the government a blast about that point, because it is unconscionable, it is immoral, it is wrong. It is not something the government said it would do.

The other point with respect to the therapy and counselling fund is that the colleges of the health care professions, and there are 24 regulated health care

professions, themselves will have to pay for the up to \$10,000 worth of counselling and therapy that victims or survivors of sexual abuse will be entitled to.

The reason we have to absolutely look at this part of the bill is not only that the government is going to get rich on the backs of survivors but, secondly, some of the smaller new colleges, like massage therapists, for example—they made this point yesterday very briefly in the 10 minutes they had before the committee. You're representing a whole college and you get 10 minutes—it's disgusting—and a new college at that, a newly regulated profession, one we fought so hard to have regulated two years ago and one that all three parties agreed to as part of the Regulated Health Professions Act in reregulating and making new colleges for the 24 regulated health professions. That small college isn't going to be able to afford to compensate or have enough money to ensure that the survivors of sexual abuse receive the therapy and counselling they're entitled to under this legislation.

Here's the point: If this is not changed, some of those smaller colleges said to us that it will be a disincentive for them to actually seek out and convict their members who may be committing sexual abuse. That is an extremely serious point that was made to us yesterday: that if corrections are not made to this legislation, there may be a disincentive to actually get rid of the problem and to deal with the problem of sexual abuse. What kind of legislation is that? It's ridiculous legislation, and they'd better fix it. But this motion today says to me they're not really interested in fixing that point either, so it may actually backfire on the survivors themselves.

The third point with respect to this is that, to me, there's an inherent conflict of interest on behalf of the actual health care practitioners' colleges themselves. From beginning to end of a sexual abuse complaint—to conviction, if that's what it results in, to discipline, to fining, other than that the money goes to the government, to compensating the victims—they are in charge of the entire process. So when you have them coming to you and saying, "If you don't get this right, we actually might not have the greatest incentive in the world to seek out those who are committing sexual abuse," you have to take it seriously because the public, the victims of sexual abuse, have no other avenue but to go to that college, to go to the alleged perpetrators' own college and seek a remedy there and try and get the compensation and the discipline on the offending member etc.

To me, there's a transparent conflict of interest, and it is in part also because of the definition of sexual abuse that the government has come up with. I want to talk about that in a minute. But that's an extremely serious matter.

Now I do want to say that—

Mr Stockwell: On a point of order, Mr Speaker: A quorum call, please.

The Acting Speaker: Could the clerk check to see if we do have a quorum present.

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: The honourable member for Simcoe West may resume his participation in the debate.

Mr Jim Wilson: I was talking about the possible disincentive here of the colleges themselves and their members to seek out and stop sexual abuse if the bill isn't fixed. In my heart of hearts I want to say that because these are professional, self-regulating colleges, I would hope that would never happen. But I found it an absolutely astonishing statement that was made yesterday in the limited committee hearings we have had.

1650

What we're talking about is the ability to reach consensus and, my goodness, if there was somebody in this House who talked about the need to reach consensus, who talked about fairness until it was nauseating those of us in the opposition, it was Bob Rae and the New Democratic Party. I don't think they can read a dictionary. I don't think they know what fairness means. Fairness, to me, doesn't mean bringing in closure so you don't hear from the people of Ontario; it means taking all the time you need to get it right. It means taking a piece of legislation out to the people of Ontario and saying to them, "We know there are some problems with this legislation and we think you're important." We think the people of Ontario are extremely important, and that's why we are here, not to serve our parties, not to serve the NDP, not to be self-serving, but to represent the people of Ontario.

When I ran, I made it very clear to my constituents and they made it very clear to me that they were not going to send someone to Queen's Park or to Ottawa who simply returned on weekends and lectured to them about what was good for them. With this closure motion, you are lecturing to victims and survivors of sexual abuse what's good for them. If the bill isn't fixed, it's going to backfire on the very people it's intended to help. When you have professions saying there are disincentives to stop sexual abuse in this legislation, you've got a very serious problem.

We are looking for a consensus. We have demonstrated our commitment to zero tolerance with respect to the issue of sexual abuse. I will not put up with a government that tries to spin anything but the truth, and the truth is that my colleague from Parry Sound, Ernie Eves, was the only member to bring forward a private member's bill which tried to deal with the issue of sexual abuse. You're playing catch-up with my party with respect to this issue.

Zero tolerance is the goal and you're not going to get zero tolerance in this legislation if you don't fix it. You can't fix the legislation if you close down the damn committee. So listen up, over there, in the three minutes I have left, and learn something, for goodness' sake. The people of this province are absolutely fed up with you people lecturing them about what's good for them.

Mr George Mammoliti (Yorkview): On a point of order, Mr Speaker: How can you sit here and talk about

the health care system and blow a blood vessel at the same time?

The Acting Speaker: That's not a point of order. The member for Simcoe West.

Mr Jim Wilson: I don't think that is funny at all, given that if I do blow a blood vessel, I'm going to have to join the ever-increasing waiting list to get any treatment in this province.

Rather than debating closure motions, for goodness' sake, you should be dealing with the health care system in this province, rather than frankly wasting our time here in this Legislature because you don't want to hear from the people of this province.

Democracy requires participation from the people. You are denying every democratic right. You're denying everything that Aristotle and Hobbes and the fathers of democracy talked about when they invented this system. You have a responsibility and an oath, which by the way they try to get rid of every once in a while, Mr Speaker, to God and to Her Majesty the Queen to serve the people of this province; not to serve yourselves, not to go home and lecture your constituents.

You have an absolute responsibility to hear from the people of this province and to act on their concerns, not your own ideological crap. You have to listen to what the people of this province want. You have to listen to the victims of sexual abuse, and we're not going to get the opportunity to do that in any meaningful way because you're closing down the committee after one day of public hearings.

The Acting Speaker: Order, please. The member for Durham East.

Mr Gordon Mills (Durham East): On a point of order, Mr Speaker: I think I have a point of order that we are honourable members in this House and we use temperate language. I do not like the term used, calling the government or suggesting that our policy is crap. I ask that the member withdraw that.

The Acting Speaker: It's bordering on being unparliamentary. Would the honourable member please contain himself.

Mr Jim Wilson: I agree, in the theory of democracy as put forward by the fathers of democracy, Parliament is to contain honorary members, but I have to stretch my generosity to believe that the members of the NDP government side are honorary members.

I give it to them because tradition states that I must, but I tell you, when you don't want to hear from the people who elected you, when you don't want to hear from labour, when you don't want to hear from your traditional friends who spent money and time in your ridings to put you here—there was a huge labour demonstration, like none I've seen in my life, out front today against the NDP.

Mr Randy R. Hope (Chatham-Kent): I've seen better ones than that.

Mr Jim Wilson: You have not. You haven't seen a demonstration like that from labour against the NDP.

I simply say in conclusion, it is a very sad day for

democracy, a very sad day indeed. This is a serious bill, a bill that may not be open for another decade, and I tell the government, you better get this legislation right, and closure is not the way to go.

Mrs Karen Haslam (Perth): I am so tempted to start off in such a histrionic way, but I feel that perhaps I can do the same as the honourable member has done before me and build to the histrionics.

I don't get to rise in the House very much and I will tell you that—

Interjection.

Mrs Haslam: Mr Stockwell's yelling already. There are times when I get up and make a statement—

Interjection.

Mrs Haslam: Mr Wilson is now yapping. There are times when I get up in the House and they yell over at me and they say: "Why don't you debate, Karen? Why don't you debate?" Well, let me tell you, I wish you'd let me more often. The truth of the matter is—

Interjection.

Mrs Haslam: Yes, you. Yes, you. The truth of the matter is that they make deals—

The Acting Speaker: Please, please, members. I would like you to control yourselves.

Mrs Haslam: I was just mirroring. The truth of the matter is that they make deals. The House leaders get together and they make deals and then they break them. We've been asked time and time again, "Would you give up your debating time to allow the opposition your time, to allow the opposition extra time to put their comments on the record?" and we say, "Yes, that's fine," and then they break it.

Then they stand over there, and I know, I've heard them before, and they say, "The New Democrats don't want to debate this issue. Nobody wants to get up and debate this issue," when the truth of the matter is, we've given up our time so that they can use our time to put their things on the record.

I'm here to work for the people of Ontario. I'm not here to throw histrionic fits. I'm not here to grandstand. I'm not here to do sidewalk theatrics. I don't like to play games. But I can't understand where they take that debating time, where I've given up my debating time. With 66 of us, it's very difficult sometimes to get on the debating list.

There are times when I haven't had an opportunity to debate a very important issue that I want to. But when I take a look around here, maybe debating with two Tories and three Liberals who aren't going to change their minds, who, in the case of Mr Wilson, aren't even listening, to allow me the opportunity to debate, to allow me the opportunity to put my ideas forward, I ask myself why I bother sometimes.

Maybe it is more helpful for me to be in my riding doing the work that's very, very important or it's more important to be meeting with my constituents here in Toronto or working on the committees. I share the committee with Mr Wilson, as a matter of fact. I share that committee that's looking at that very important piece

of legislation. But I look around and ask myself, am I talking only to the committed over here when there aren't any members here to listen to debate.

I don't believe in standing up only to be put on the record so I can cut it out and mail it to friends and relatives. I believe if you're going to debate, if you're going to work in this House, you should work at something you have a chance at changing. I believe strongly in the committee structure, because that is where a lot of the work is done. A lot of the changes are done in the committee, not standing here talking to five people.

1700

They were talking about being extremely limited in their chance for debate. In 90 minutes for the first speaker and in 30 minutes for every speaker after that, if you can't get your points across, then I question your ability to get your point across in 90 minutes or in 30 minutes. Having three members stand up and say exactly the same thing doesn't change a lot.

With all due respect—and Mr Wilson is leaving. He doesn't want to hear the rest of my debate.

Mr Jim Wilson: You're right.

Mr Hope: He said you're right.

Mrs Haslam: I know he said I'm right, and he's gone, and that leaves one poor Tory. I'm talking to one Tory.

Mr Stockwell: On a point of order, Mr Speaker: I think we need more people for her to talk to.

Mrs Haslam: I do too.

Mr Stockwell: Maybe we should call a quorum.

Mrs Haslam: Perhaps Mr Wilson will join us now.

The Acting Speaker: Will the clerk check to see if we have a quorum, please.

Senior Clerk Assistant and Clerk of Journals: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Senior Clerk Assistant and Clerk of Journals: A quorum is now present, Speaker.

The Acting Speaker: The honourable member for Perth may resume her participation in the debate.

Mrs Haslam: It strikes me as passing strange that they call quorum and can't even get two Tories in the House on a quorum call. This party has been saying: "This is very important to us. We want to hear the debate. We want to partake in the debate. We want to listen to victims." We can't even get two of them to sit on committee. They send one, and the other one says, "See you later, buddy."

Well, I'm sorry. You can't come in here and throw a temper tantrum and say we're not listening, and then get up and not listen to the opposition's point of view. You can't say it's not fair and then have one in committee to listen. I'm sorry, I just find that very hard to believe.

The committee we were talking about was inviting people to come and talk to us, and we had scheduled them at 3:30. It was delaying tactics in this House that held up that committee meeting. We had to sit over there and wait for delay tactics to go through here on a point

of order, on a point of privilege, on a point of this or that. None of them were of any validity, and we sit waiting in a committee room to hold these committee hearings while the shenanigans and the games go on in this House.

I really don't appreciate the games and I think enough is enough. I think it's time we said, "We've had our chance." We've worked two years on this particular piece of legislation. It's been held up time and time again in committee. It's in second reading. We offered to go to night sittings for the committee. We offered to extend the time. No, that wasn't good enough. It will come back in for third reading. We're making very good progress in the committee. We're listening to people. There are amendments coming out of that committee. That's where a lot of work is being done, and I think that's very important. The time will come when it will come back into the House for third reading, and we'll have spent a lot of time.

But to carry on this charade with five people is ridiculous. I think it is time to say to the people of Ontario, "We're here to legislate, we're here to work for you, we're here to get some important pieces through," and this is one of the things we want to get through that's very important. This is a very important piece of legislation.

Madam Speaker, as you know, because you've dealt with women's issues, this is a very important issue. We're dealing with sexual abuse by professionals, and this game-playing has no place in this particular piece of legislation. We need to work in committees to be sure that legislation is good legislation. We're doing that, and that's where the work seems to be taking place.

As I said before, we make deals; they break deals and deliberately tie up the House. When they tie up the House, maybe taxpayers would like to know that it's \$250,000. They're quick to say, "Gee, you can't spend money on this and don't spend money on that, and cut the social programs," and then they stand here—oops, there's not a Tory left in the House any more, not one, not one Tory in the House. I can see how interested they are in this particular piece of legislation.

I'm really pleased to see Mr Grandmaitre, who's been here all day; Ms O'Neill, who's just come in, but she serves on the committee. I know how dedicated she is on this piece of legislation in the committee. I commend them for staying here and listening to our points of debate.

But at \$250,000 a day to debate this kind of issue, it is ridiculous to debate holding up legislation. I don't believe in it and I don't believe the taxpayers of Ontario believe in it. I think they ought to start writing in and say, "Get off the pot and get on with the job," because that's where I'm at right now: Get on with the job. I'm sick of this game-playing.

I'm not going to talk long. I'm not going to talk on the legislation per se. I only wanted to have my say on this whole idea of cutting off debate when there are some of us who don't get a chance to debate because we've allowed the extra time to go to opposition members, just to have them turn around with delaying tactics and

playing games. I'm just asking for the games to stop. I'm asking for us to get on with the legislation, to get on with the important work we do in committee and to get on with this important piece of legislation.

If it takes closure, then so be it. To my way of thinking, there are a lot of victims out there suffering. I think that if it takes closure on the nonsense that is going on in this House, then that's what we have to do to govern and that's what we'll have to do. I'm going to be voting in favour of this so, as I said, we can get on with the government's business of governing.

The Acting Speaker (Ms Margaret H. Harrington): Further debate?

Mrs Yvonne O'Neill (Ottawa-Rideau): I rise today to speak to the time allocation motion with grave concerns for the direction in which this government is taking the policy development process in Ontario.

Time after time we've seen the NDP majority in this House and in committees of this Legislature stifle debate on issues of serious concern to the members of this House and the constituents we represent. Time after time this government has demonstrated its refusal to listen to dissenting voices. Time after time we've seen the complete denial of any kind of meaningful consultation or debate.

Let me cite the matter at hand, the recent difficulties we've encountered in the standing committee on social development of which I'm a member. The committee is currently dealing with Bill 100, An Act to amend the Regulated Health Professions Act, 1991. This important piece of legislation deals primarily with sexual abuse by health care professionals and has far-reaching ramifications in the health care community.

Understandably, many professionals who will be impacted by this bill want to contribute to the debate. The tying of this legislation to the Regulated Health Professions Act has indeed, within itself, increased complexities. Much, much more discussion is necessary on many aspects of the bill. For example, the therapy and counselling fund indeed merits further study and exploration of the alternatives presented by many of the professional groups.

Thousands and thousands of professionals in over 20 practice areas are to be subject to the same definition and are to be subject to the same rules of reporting and compensation of victims, even though their scope of practice and the resources of these professionals are, as everyone knows, less than equal. These health care professionals have spent considerable time and money to prepare briefs and to reschedule their valuable time—in fact, often keep their patients waiting—so they can appear before our committee to express their views on this very important piece of legislation.

1710

Yesterday, the very first day of public hearings, and may I add, before we had knowledge that there were going to be some evening sittings permitted, each professional association was allocated a meagre 15 minutes before a committee of this Legislature on such an important initiative. The Chair, working within these very

limiting parameters, offered the opportunity for one question per presentation, time permitting. Thus, each caucus—not each member but each caucus—had the ability to place one question every 45 minutes.

Presenters, who were all either health care professionals or legal counsel, with the cumulative experience of thousands of years, were limited to 15 minutes to present concerns, alternatives and suggested amendments on this all-embracing, significant piece of legislation.

It's an understatement that the presenters were thus unable to bring forward their views as completely as they would have wished. In fact, many presented executive summaries or very condensed versions of their briefs. In addition, as I've already indicated, the members of the committee were unable to adequately pose their questions to the presenters, questions that would have helped both Ontarians and this Legislature to clarify and understand very complex issues from the professional point of view.

I would like to quote from one of the presenters at yesterday's hearings. In total frustration, this presenter said:

"You have heard from the Coalition of Regulatory Colleges, an organization born out of frustration, because the pleas of the professionals to participate in meaningful consultation were ignored, as were the pleas of other stakeholders. Never before in the history of...Ontario has there been need for a coalition" of professionals.

This gentleman went on to say: "We are all sincere in our desire to have an effective system of health care regulation and in our desire to address the issue of sexual abuse of patients by health care providers. However, a few days of committee hearings are not sufficient to address the serious concerns of those who wish to address you. I have 10 minutes to express the board's concerns, and you have that much time to hear them." That's important. "The board is concerned that if Bill 100 goes through, this will have been the only opportunity in this decade," and I thought that was quite a statement, "for anyone to have addressed the issue of sexual abuse by health care providers."

He concludes: "The board is concerned that, because of the faulty process, we may be wasting an opportunity to effectively develop legislation," legislation that would be effective and achieve its purpose.

We've heard this same sense of frustration expressed again and again, both in private and in committee hearings on other bills. Again, stakeholders are being given less than adequate time to play an important part in the development of policy that's going to affect their daily lives.

To add to this general sense of frustration in the Liberal caucus, the committee was presented with the government's amendments this past Monday, two days ago.

There are certainly many professionals who are concerned about the removal of "all exemptions to mandatory reporting." Opportunities to voice these concerns and others are severely limited by this government. The result is, of course, that these health care professionals feel cut out of the process completely. They

feel that they have legitimate concerns and they're not being heard, and that this NDP government is putting forward a set of sham hearings on a piece of legislation that is already a *fait accompli*.

With evening sittings, we hope at least that all who have requested to present, whether individuals or organizations, will now be able to present, to be heard in a meaningful way. The Ontario Medical Association, the College of Dental Hygienists, the College of Optometrists, the Ontario Association of Professional Social Workers, the Ontario Dental Association and the National Association of Women and the Law until today have not been able to be included in our schedule. These important groups and many others I believe have the right to be heard. They believe they have the right to be heard and we as legislators have the obligation to hear them before we write this legislation in stone.

I ask the members opposite and you, Madam Speaker, is this not the essence of consultation? I mean real consultation, not the kind of consultation that Ontario is now regretfully becoming accustomed to: consultation by invitation only, consultation after the fact, consultation in time frames so narrow that they become meaningless exercises.

I believe that if Ontarians are to have confidence in this government, in its programs, in its legislation, indeed in Bill 100, they must feel that legitimate input was welcomed and was heard.

My caucus and I are happy that more hearings will be possible on Bill 100, a bill which is significant in many, many areas of the health care field. We are, however, less than happy, less than excited, that clause-by-clause examination of this bill, once the hearings are completed, and our debate in third reading, will be very severely limited.

And yet, as I came into the House I heard the previous speaker, the member for Perth, call this debate, a debate on limited debate, a waste of time. How can a member of this House indicate that voicing dissent on limitation of debate, voicing dissent on listening to another position, voicing dissent on not being able to present an amendment to a significant bill, how can a member of the NDP government talk about these things as a waste of time? I find that almost incomprehensible.

The frustration of yesterday's presenters and ourselves as members of Parliament will no doubt be continued as we go through clause-by-clause with its limitations and as we enter a two-hour debate on third reading. The hearings thus become a charade if the ideas, the concerns, the suggestions presented in the hearings have no possibility of being incorporated through amendments into Bill 100. That seems to be the course we are on now with the invocation of closure and with the difficulties of that time limitation in meaningful debate and exchange on the amendment side of this bill.

It seems that the NDP government is hell-bent to march us all in unison to the tune of its very own drummer within its very own time lines into passage of a piece of legislation which leaves many doubts and some fears in the minds of the professionals in this province and indeed in the patients the bill is meant to protect.

1720

Ms Christel Haeck (St Catharines-Brock): I appreciate the opportunity to speak on this time allocation motion because it allows me at this time to actually also comment on a number of statements made by the member for Simcoe West.

One of the things that I did want to begin by saying was that, as has been pointed out already, Bill 100 arises out of the McPhedran committee. It met for some time prior to our discussion of the Regulated Health Professions Act, and there were some 20 acts that this package comprised, and that dealt with a range of health care professions.

While we were going through that particular debate, particularly in going through the clause-by-clause section, we made frequent reference to the fact that we were waiting for that report, the McPhedran report, and that we had place holders assigned for the appropriate clauses to deal with the comments relating to the sexual abuse of patients by a range of health care practitioners.

So already during that summer and fall of 1991, the committee members were well aware that the Regulated Health Professions Act would include this type of legislation. In fact we are coming up to January 1, 1994, when this will be promulgated and will become law for the rest of the professions to now act upon.

Some of the professions who came before us yesterday in particular made mention of the fact that the Regulated Health Professions Act arose out of a consensus. I have some memory of the debates and discussions that went on during our deliberations of the Regulated Health Professions Act and I would say that it was by no means complete. The various health care professions did not give complete agreement to each and every clause that was in those some 20-odd acts.

During our deliberations we were in fact lobbied by 20 or more different health care professions, some that currently still remain under the Drugless Practitioners Act, the current Regulated Health Professions Act. There are 24 of them, and we had, during the time that we met as a committee deliberating this, well over 500 submissions from the professions and also some interested consumers.

But to return to the point of consensus, there was not consensus. The deliberations of the committee finally had to deal with a number of, shall we say, the more thorny issues. One of them, actually, I have had to recall, as Mr Wilson, the member from Simcoe West, was going on in a sort of tirade fashion, was the use of the name to describe the profession, the title.

I am here to tell the members who were not sitting on that committee that for some groups the correct name of their profession held an awful lot of weight, and I can assure you that for the chiropractic profession the word "doctor," the name "doctor," had a lot of value. There was a lot of discussion and debate in relation to how the members who practised medicine under the OMA would look at this or how the naturopaths would feel about this.

I don't want to revisit the Regulated Health Professions Act, all nine years' worth of work that Alan Schwartz

and three governments and obviously many hundreds of people got involved in, but these issues were very real, in fact still persist, and the consensus has not been achieved.

I think ultimately what it comes down to after many years of discussion—the McPhedran committee met during 1990-91. We are also talking about the fact that the preparation for Bill 100 now, as we speak today, would basically have taken about two years' worth of time.

So I would say that it is time for some decisions. In fact, as a government committee, our subcommittee in discussing these particular proposals on how people can come before our committee addressed the issue of allotting time to meet the schedule that has been given to all of the professions. They are well aware that January 1 is when all of this will come together, and this particular piece of legislation will have to dovetail with that.

We really and truly have to make that decision. We have been accommodating. We have said we will meet in the evenings. We will work to find the time to deal with the various groups. I have to say, with some disappointment, that not all members of the committee, particularly members of the opposition, have felt that was appropriate. We could have met in July and August. In fact, again that was not allowed because opposition members felt that they would like to meet again with stakeholders to peruse, to discuss, to work with the various stakeholders and try to resolve some issues.

We're now down to the point where we have to deal with the remainder of those issues and make some decisions. It is my opinion, as someone who has worked on a number of these controversial issues, having listened to the debate from the professions—and now we'll also be hearing members from the consumer-survivor groups—that we will be able to, as informed laypeople, make that decision, and we will be able to make that decision in a timely manner. It will not require months or years of continued debate. We have had the years of work in preparation to the point where we are today.

I personally cannot meet with the consumer-survivors we will be meeting in the next few days and say to them that we are going to stretch this particular legislation into 1994 and then in fact probably say to them this is going to require a much lengthier time for consideration.

I have to say, personally I was much dismayed at some of the comments from some of the professions yesterday. They knew that I was not happy, because I told them so during our discussion, because I foresaw that the effort was being made to stretch this out for some considerable length of time. It has gone on far too long.

The consumer-survivors want this legislation. They feel very strongly that they need the protection, and I personally agree with them. I think all of us, if we are honest with ourselves, will know from our constituency office experience and our personal friendships that there are people who have encountered these problems. They have not felt strong enough within themselves to take on the system. We have provided a mechanism whereby these people can receive redress and try to put their lives back together.

I believe the time is now. I will vote in favour of this time allocation motion. I encourage all members of the opposition to also recognize that the time is now, in 1993, not in 1994, not in 1995, not in 1996—1993.

Mr James J. Bradley (St Catharines): I wish to speak to the closure motion which is before the House by once again indicating my concern at the number of closure motions which have been forthcoming from the government House leader and under the NDP government of Bob Rae.

The reason I do that is that in many years gone past Mr Rae entered the House in a by-election when Mr Lewis resigned. Mr Rae became the leader after Mr Cassidy stepped down as leader. I can well recall that he felt very strongly about the fact that the opposition should have the opportunity to fully canvass all the arguments on any of the bills before the House, and he was a very strong defender of that particular opportunity.

1730

We see under his government, however, particularly since the change in rules which he implemented unilaterally, although with the support of the Progressive Conservative Party—I was very surprised to see that because I would have thought the Progressive Conservative Party would have seen how the government would use this against the opposition and would have opposed it. But on that date they rolled over and played dead, for whatever reason. I don't know whether they wanted to get out of the House for a summer holiday or what it was, but at least they acquiesced to the jackboots which were being applied by the government on that occasion.

I'm concerned about the closure motions because I think they limit legitimate debate. I recognize that a government ultimately might have the opportunity to close down a debate that's been going on a very long period of time. But as I've indicated to the House in days gone by, the purpose of these debates is to canvass public opinion, to make the public aware of what is happening.

All of us have experienced the situation where we have encountered our constituents and they've said, "What is this particular bill all about?" or "How did this bill get passed and I didn't know anything about it?" They are legitimate questions. One of the reasons is that the bills tend to get passed very rapidly in this House.

Sometimes there are hearings. There is going to be a bit of an opportunity for hearings in this case. I think there should probably be more time provided for that, but also I think it's important to provide more time to discuss the amendments that might be brought forward by both the government and the opposition. If the hearings are going to be meaningful, if the hearings are going to be worthwhile, then I think it's exceedingly important for there to be legitimate debate over the amendments that flow from those hearings. That's what makes a bill stronger.

If we want the Parliament to work on a more or less consensus basis rather than a confrontational basis, it's important for the government to be able to accept amendments from its own members who may have some good ideas or from members of the opposition. Sometimes the

members of the opposition put them forward at the behest of those who have made appearances before the committee.

I think it's important to at least debate those adequately. The provision of this closure motion really means that there won't be the opportunity for that kind of debate which I think is very healthy for legislation of this kind.

If the House sat a longer period of time, rather than the period of time that Bob Rae, as Premier of this province, has declared it shall sit, we would have more time to canvass the opinions, more time for committees to deal with these matters. But we all recall that when Mr Rae brought in his changes to the Legislature through the then government House leader, the member for Windsor-Riverside, we found that there were a lot of changes. One of those changes was that the House would not sit as many days.

A lot of people out there think that members of Parliament don't work unless the House is sitting. Those of us who are part of this particular chamber know that is not the case, that there's a lot of work that is done in committee and that there's a lot of work that is done within the constituency. Nevertheless, I think they are hopeful that we will be more than glorified social workers, people who are simply servicing the individual needs of our constituents on an ongoing basis, but rather that we will be legislators as well, people who are carefully analysing legislation coming before the House. We are restricted in that by the fact that the government has now decided the House shall sit fewer days than it might otherwise sit.

I think another thing we have to look at is that now ministers have the opportunity to cut off debate when they see fit. In other words, there used to be a lot of negotiations that took place around here between the House leaders of the various parties and there was a consensus arrived at as to what the schedule would be for the purposes of dealing with legislation. Unfortunately, today it appears that the minister shall now arrive in House and simply declare how much debate shall be taking place within the confines of this chamber.

You as Chair, Madam Speaker, sitting in that position, used to have more power. You used to be able to use more discretion to determine, as an independent person, as a person with personal judgement, how much time should be allocated to any piece of legislation or whether in fact enough debate had taken place. While there may have been quarrels from time to time with what a Speaker indicated by way of ruling, there was a general consensus that one should accept that ruling and the House should proceed.

The member for Windsor-Riverside is here, the author—I shouldn't say he's the author, because it's really the Premier who's the author. But I think "henchman" is probably not a word that's acceptable in the House, so I would say the protégé of the Premier. The member for Windsor-Riverside was summoned to the office of the Premier and told to put the boots to the opposition, to make sure that now the Speaker would not have as much opportunity, and of course they made these rules much more difficult for the opposition.

That's why I'm very concerned, because the member from Riverside as well, as a member of the opposition, used to utilize a good deal of time in criticism of the government, both constructive and less constructive criticism. I appreciated it in those days. It enhanced the debate. It helped the government to change any legislation that required changing. His ideas from time to time might have been accepted; in fact, they were accepted as positive suggestions from time to time.

The governments of the day didn't always close the door on the opposition. Unfortunately, with this kind of motion, with one motion after another of closure, we find that members of this House have their power diminished. At the risk of being repetitious from previous debates on this, because there may be a new audience of government backbenchers and front benchers here today, I keep indicating to you that the new rules and the application of those rules continue to diminish the role and responsibility of the member. In other words, if you're on the government side, you simply become a mouthpiece for the government. You're simply over there to parrot whatever the Premier and his unelected advisers have to say.

That's most unfortunate when that happens, because I think there are probably some good suggestions that would emanate from some of the people who sit on the government side of the House as well as the opposition side. Some of those may come forward at a caucus meeting where the public is not permitted, where the press is not permitted, but those ideas may not get to the floor of the House, and one of the reasons is because we will be confined in the number of hours we can debate. Now we are limited to 30 minutes.

Hon David S. Cooke (Minister of Education and Training): It took you 30 minutes to answer the question when you were in government.

Mr Bradley: As the member from Riverside indicates, there are some occasions when less than 30 minutes will do quite well, thank you. There are other occasions when there should be flexibility so that someone may go beyond the 30 minutes to continue to deal with these matters.

I find it difficult to believe that members of the governing side want to see the former members of this House, unelected, who sit in the Premier's office and advise him have more power than they have, and indeed they do have more power.

Mr Kimble Sutherland (Oxford): What do you mean?

Mr Bradley: The member for Oxford interjects and says, "What do you mean?" I would say that I think the member for Oxford, legitimately elected—I see a former colleague of mine sitting in the Legislature who must just be appalled at the new rules that have been brought in by a government that contains many people who used to be thinking differently about these rules.

The former member for Oshawa, Mike Breagh, who is sitting in the gallery today, gave some eloquent speeches in this House on the issue of closure, on the issue of rules, and as a matter of fact, Madam Chair, did

an excellent job, as you are doing at the present time, sitting in the Chair. He was considered to be impartial and he was considered to be bright in the ideas that he brought forward. I would only hope that the Premier would consult the former member for Oshawa when he is talking about new rules in this House as opposed to simply others.

The Acting Speaker: On that note—would you stop the clock for a moment—I would like to introduce and draw to the attention of the House the former member for Oshawa, Mr Mike Breagh, who is in the east gallery. Welcome.

1740

Mr Gilles Bisson (Cochrane South): On a point of order, Madam Speaker: I would ask for unanimous consent to allow Mike Breagh to respond to Mr Bradley's speech.

Mr Bradley: I would be more than happy to yield the floor to the distinguished former member of this Legislature, because although I cannot speak for him, I only reflect to the House the views I have heard that if you go to consult Hansard, and there are many on the government side who wish Hansard were burned or—I guess we can't burn it today—shredded at the very least—it is very difficult to be standing in this House today knowing that the member for Oshawa is here with the marvellous views he had about the role of the opposition and the responsibility of individual members.

I think you people in the opposition, opposition in this case being the governing side, should look very carefully at what the people are doing to you on the other side. They just want you to show up to cut the ribbons. They want you to show up to give the government line and everything, whether you agree or don't agree with it. Unfortunately, you don't have enough time to be able to stand in this House and give your true views on issues of this kind.

What we see happening today—

Hon Mr Cooke: Boy, I know what your colleagues said about you when you were in government.

Mr Bradley: —is less and less power to elected people who are directly accountable to the electorate and more power to the mandarins, more power to the advisers of the Premier, more power even to some of the members, who are elected, the cabinet, who I used to think were all-powerful. But obviously there are people who used to be in government. I think of Mr McClellan who sits behind the government side, Mr Ross McClellan and others who are sitting there.

Hon Mr Cooke: How did you share power when you were in government?

Mr Bradley: The member keeps interjecting. I must be hitting a very raw nerve over there. When I was on the governing side, I always thought the opposition should have those opportunities to speak at some length about matters. I can recall that. I worried at that time about the possibility of people who were advising the cabinet having more power than the members, and that's why I felt it was important that our individual members have more opportunity to speak on matters of this kind.

That is what is happening today. I don't say exclusively in this House. If you look around at various jurisdictions, you will find that more and more the power is going into the hands of unelected people.

If you want to know why the people out there are frustrated, it's because you go to them and say, "It's not my responsibility, it's this board," or, "It's not my responsibility, the judge said this," or, "It's not my responsibility, the unelected people in the Premier's office said this."

Every time you go out to explain a decision, we find that often it isn't the government's responsibility. That power has been given over to others, and so the Attorney General can rise in the House and say, "Well, of course, I can't answer that question because the answer can be provided by somebody else." She's right. The way the system works, in many cases, the power lies with unelected people.

That's why I think when the Premier changes the rules, that's why I think when there are motions of this kind brought forward, every time it happens it diminishes the power of members of this House to bring to the House the viewpoints of their constituents and to try to reflect the constituencies in which they reside.

Some members don't worry about this because they think they're going to be able to get in the cabinet. They think, "If I don't rock the boat, maybe Bob Rae will let me into the cabinet." However, there are other members, my friend the member for Welland-Thorold, who isn't afraid to speak out from time to time, and the member for Wentworth East from time to time indicates his discontent with the government, but even then these people don't get a chance to speak very often because when a closure motion is applied it means that Peter Kormos, the member for Welland-Thorold, or Mark Morrow, the member for Wentworth East, won't have the opportunity to bring their views to the House. I'm very concerned when they don't have that opportunity.

Hon Gilles Pouliot (Minister of Transportation): You know the feeling.

Interjections.

Mr Bradley: Others are making accusations. I'm having a hard time. There appears to be discontent and dissension within the government ranks. I would hope that wouldn't happen.

Hon Mr Pouliot: You did nothing. You just shoved it down our throats.

Mr Bradley: The Minister of Transportation is here, and I can recall when he was in opposition the viewpoint he held about closure motions, and I agreed with him at the time. When the government would ever talk about this, I would counsel the government House leader to say: "Look, we must provide adequate time for the opposition to be able to canvass the views, and perhaps we'll learn something from more public hearings. Perhaps we'll learn something from members of the opposition who have some good ideas."

I well recall I used to get a lot of advice from the member for Lake Nipigon, now the Minister of Transportation, on Ontario wines. He was very happy to give me

counsel and advice in those matters. So I thought this was very helpful.

But when you apply a closure motion, you find out that the bill we're dealing with today won't be able to get the kind of consideration that it might otherwise have. It would be a stronger bill if you gave it that consideration. It would be a better bill. It would be a better explained bill to those who are making representations, because the government spokespersons sitting in the committee would be able to say to the people with questions and representations, "This is why we are moving forward with this particular portion of the bill," and it may be helpful in allaying the concerns of those individuals.

I'm sure there are some in the House here who used to come to legislative committees and were happy that they had the opportunity to make those representations. They were delighted that the government of the day was not applying closure, but allowing time for their views to be presented to the House.

Always there was a good deal of interest in what was being said, and I'm sure this government, when it has people coming before the committees, would want to hear and perhaps make some changes to its legislation or ultimately to the regulations that flow from this legislation when the opportunity presented itself. But that cannot be done when you have a closure motion before the House. That's what prevents the debate from taking place.

The member for Etobicoke West is here. He's another democrat; not a New Democrat but a democrat with a small "d," a lower-case "d," and he recognizes as well that out there people are busy trying to work hard just to make it in our economy presently. They don't have the time to look at the details of legislation. But from time to time they can tune in to the parliamentary channel, to the Ontario Legislature channel, and hear some of the debates.

Sometimes they've been convinced that the government is right. When the government brings forward legislation and various government members have explained it, in fact they may say the government side is right. More often than not, however, they listen to the opposition and say: "Why is the government proceeding with this legislation? Why don't they accept the very reasonable and well-thought-out amendments being proposed by the opposition?" Or indeed, as in the case of the photo-radar bill, "Why don't they simply withdraw the legislation and proceed in a different direction?"

All of those opportunities are there when we are allowed to speak extensively, when in committee each of the amendments put forward receives a fair hearing. Even the people who are watching, and there are a number of people who watch this legislative channel, will phone us or phone government members and say: "Why don't you change the legislation in this way? Why don't you amend it in this way?" Sometimes that legislation is strengthened, because believe it or not, not all of the wisdom in Ontario resides in the Ontario Legislature, and particularly in this chamber.

Interjection.

Mr Bradley: The member for Lambton is interjecting. I know the member for Lambton, being the good person she is, with some good ideas that emanate from Lambton county, would want the opportunity to be able to speak in committee, to listen to the legislation, to listen to the amendments put forward by the opposition and by others, amendments that are often initiated by groups making representations to committees, because she's an open-minded person. She's the kind of person I know who would be prepared to do that; not everybody on the government side is.

Sometimes they get what's called ministeritis. What that does is it prevents them from listening to what people have to say. They may hear physically what is being said, but they don't listen to what is being said by the people who are out there.

1750

Interjections.

Mr Bradley: All kinds of interjections. I'm being shouted down by the government side, but I'm trying to proceed.

The Acting Speaker: Would members come to order. I'm sure you would like to hear what the member has to say.

Mr Bradley: The Speaker is very concerned. She wants order in the House. I think she is a small-d democrat as well as a large-D Democrat, so she understands the importance of the compelling arguments that I'm putting before the House for consideration this afternoon.

I am calling upon the government to withdraw the closure motion. I am calling upon the government to not put other closure motions before the House after so little debate and consideration of a piece of legislation, because my memory of Bob Rae in this House is that he would want that kind of consideration for this legislation.

That is not to say that there aren't good portions of this bill. In fact, I think you would find a consensus among members of the House on many portions of this piece of legislation. There are some contentious items, however, that do require more debate and more opportunity to persuade the government to change its mind so that the legislation will be stronger, so the legislation will be more acceptable to everybody here.

I can recall having to read many petitions in this House that were coming in from people all over the province concerned about the rule changes that Bob Rae had imposed on this Legislature. They were very good petitions. They were excellent petitions. I know that people from Atikokan, people from Terrace Bay, people from Chatham, people from Plympton, people from all over the province were writing to us, sending in petitions, asking that we read the petitions in the House, asking the Premier to reconsider his ill-conceived and arbitrary rule changes.

We're now seeing the culmination of those rule changes in all of the closure motions and all of the time allocation and time limitation motions that are before this House in this session and in previous sessions under the NDP government of Bob Rae.

I can always hope, I suppose, that there are people

who will listen. I can always hope that somehow the government House leader will understand that these rules should not be applied in the manner they have suggested. I can always hope that they will consult with the former member for Oshawa, Mike Breagh, who on so many occasions in the Legislative Assembly committee, in this House, in the justice committee and virtually all committees of the House, and I'm sure within the provincial council of the NDP, made those arguments.

I understand the provincial council is meeting again this weekend. I have not received my invitation to attend the provincial council, but no doubt it will be very interesting. I don't think they'll be allowing the public or the press in, because there will be blood on the floor; no doubt about that. There is a lot of dissension within the NDP.

Interjection: That's your invitation.

Mr Bradley: I have an invitation. The member for Manotick has handed me this invitation, and I will try to make it.

I would like to be there when Mel Swart makes his presentation. You may say, "Why would he bring Mel Swart into this argument?" It's because Mel Swart was a man who stood for the right of the individual legislator to be heard. Mel on many occasions spoke at great length about matters in the House. I remember one day he was so incensed with a government motion of some kind that he actually was ejected from the House. Mr Sterling had to restrain himself, because he saw Mr Swart going by and he was speaking in principle about something.

I know Mel Swart, who has had many interesting things to say about this government in the last year, including calling for the Premier to resign, would be a person who would be very concerned about the kind of closure motion we see before the House this afternoon. That's why I think his successor, the new member for Welland-Thorold, Peter Kormos, does not come into the House to vote on closure motions, because I know he's the kind of person who would believe that opposition members should be able to speak in a detailed sense on legislation before the House.

Now, you ask the question, does this bill have some merit? It does have merit. Is this bill perfect? It is not perfect. Can it be improved considerably? The answer to that question is yes, it can be improved very considerably with input from members on all sides of the House and with more convenient hearings for those who are the consumer groups out there who would like to make representations to members of the Legislature.

I know that not only the members themselves, but staff of the Premier's office and staff of the various ministers and the civil service are there to hear these people make presentations. I have seen, in my experience in this House, the changes that have come about as a result of good ideas that have emanated from both the government and opposition sides and good ideas that have emanated from the general public, particularly those who have taken time to study these matters very carefully.

The member for Lake Nipigon knows I'm right. He smiles over there because he knows I'm right. He must

have pangs of conscience bothering him when he sees the government House leader get up in the House and make an announcement that we have yet another closure motion. As a person from an outlying area, from north-western Ontario, he knows it's important that views from all over Ontario are heard. I was speaking to the person who ran against him last time, who said to me that she was very concerned that he was going to feel the stress of having to live within the rules that Bob Rae had provided for members of this House.

My plea to my friends on the government side—we don't have the numbers on this side. Combined, we have the percentage of the vote on this side, but we don't have the numbers in this House and we don't have that opportunity to be able to defeat the government on this. So I simply appeal to reason, I appeal to fairness, I appeal to the sense of democracy that might exist on the government benches.

I appeal to them to withdraw the closure motion. I appeal to them to change the rules which permit this kind of closure motion to be imposed on this House. I appeal to them to be more conciliatory, to, as the public say, work together as people of various parties to bring forward the kind of legislation which can meet the feelings and the agreement of all people in this province.

Unfortunately, we will not have that. We won't have as many people appearing before the committee as we could have to make their presentation. We won't have the opportunity to discuss the opposition amendments in the kind of detail they require, and we won't have that because the government House leader has decided we will not have that.

We all know—perhaps some in the House don't, but most of us know that the government House leader gets his orders from the Premier's office. That's where they always emanate from. The Premier rules supreme, and he gets most of his advice from those who are not elected members but rather from those who are, as Mr Kormos once mentioned, people who are centred in Toronto and have a viewpoint which doesn't go much beyond the confines of the Legislative Building and the government buildings that surround this Legislature. We won't have that kind of input if the government proceeds with this motion.

I expect to see the government House leader walk in,

in just a second or two, and announce that they're withdrawing the motion and that we will have a full and free debate on this matter.

The Acting Speaker: Mr Charlton has moved government notice of motion number 16. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This is a 15-minute bell.

The division bells rang from 1800 to 1815.

The Acting Speaker: All those in favour of the motion will please rise one by one and be recognized by the clerk.

Ayes

Abel, Akande, Allen, Bisson, Boyd, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Duignan, Farnan, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Haslam, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lankin, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathyssen, Mills, Murdock, O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rizzo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, Wessinger, White, Wilson (Kingston and The Islands), Wilson (Frontenac-Addington), Winninger, Wiseman, Wood, Ziemba.

The Acting Speaker: All those opposed will please rise one at a time and be recognized by the clerk.

Nays

Arnott, Bradley, Cleary, Conway, Curling, Daigeler, Elston, Eves, Fawcett, Grandmaitre, Harris, Henderson, Jackson, Jordan, Mahoney, Marland, McClelland, McLean, Miclash, Murdoch (Grey-Owen Sound), Murphy, North, O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poirier, Runciman, Sterling, Stockwell, Turnbull, Villeneuve, Wilson (Simcoe West).

The Acting Speaker: The ayes being 59, the nays being 31, I declare the motion carried.

It being 6 of the clock, this House stands adjourned until 10 o'clock tomorrow.

The House adjourned at 1820.

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Troisième session, 35^e législature

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Thursday 25 November 1993

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Jeudi 25 novembre 1993

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Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Thursday 25 November 1993

The House met at 1003.

Prayers.

PRIVATE MEMBERS' PUBLIC BUSINESS

SENATE OF CANADA

Mr Perruzza moved private member's notice of motion number 31:

That, in the opinion of this House, this Parliament should call upon the new federal government to abolish the Senate of Canada.

The Deputy Speaker (Mr Gilles E. Morin): Pursuant to standing order 96(c)(i), the honourable member has 10 minutes to make his presentation. Mr Perruzza.

Mr Anthony Perruzza (Downsview): Mr Speaker, I am before you and the rest of the chamber here today to essentially ask for your support to communicate to the new federal government in Ottawa that I think the Senate, in the development of this great country of ours called Canada, has indeed outlived its usefulness, if in fact it ever had any.

I would just simply like to start off by quoting from our Constitution. In fact, our Constitution has stated since Confederation that in Canada "there shall be one Parliament for Canada, consisting of the Queen, an upper House styled the Senate, and the House of Commons." So there are essentially three institutions that form the government of Canada.

We'll have to go into our history and our development a little bit to look at the rationales for setting up the Senate of Canada. If you go right back to over a century and a quarter ago, during the debate the reason for setting up the Senate was essentially to try to strike, in at least one of the chambers of government, some regional representation and some sharing of power between the more populous, wealthier provinces and some of the less populated, less wealthy provinces. In fact, one of our Fathers of Confederation—we all know him well—Sir John A. Macdonald, during this whole debate when they were going back and forth and trying to figure out how Canada was going to be governed, declared:

"There would be no use for an upper House if it did not exercise, when it thought proper, the right of opposing or amending or postponing the legislation of the lower House. It would be of no value whatever were it a mere chamber for registering the decrees of the lower House. It must be an independent House, having a free action of its own, for it is only valuable as being a regulating body, calmly considering the legislation initiated by the popular branch and preventing any hasty or ill-considered legislation which may come from that body."

Having quoted extensively, this was the reason for setting up the Senate in the way it was. Initially, it was set up with 72 members. Then, with the inclusion of some other provinces, the membership went up to 96, always of course with a regional appropriation, which gets to be quite cloudy and hazy as you track the development of the institution over time, then to 104, and

finally and lately to 112, which is very interesting.

It's important to look at especially the last development. We all know when that happened and when that occurred. During the Mulroney years in government, the federal Conservative government wanted to introduce the GST. It being the kind of nasty, ill-conceived, bitter-biting, economy-ruining tax that it was and is, and since Mulroney and the Conservatives had an overwhelming majority in the lower House, the elected representative House of Commons, and the Liberals had the majority in the Upper House, which was then the Senate, the Liberal senators began to tinker with that whole process. They were considering possibly not passing or not consenting to this ill-conceived, ill-contrived, nasty, economy-ruining tax known as the GST.

What did he do? He said: "I'm going to take back the majority in the upper House. I'm going to use an unusual authority." Many scribes and many experts had earlier suggested that perhaps that authority didn't exist, and he said: "Absolutely not. They're thwarting or trying to thwart the elected representative authority of the lower House. I won't allow it. I believe I have the right not to allow it and therefore I shall ask the Queen to expand the numbers of the Senate, appoint a few Conservative people to the upper House and take back the majority so that the GST can and will proceed."

In fact, that's exactly what he did, and the number went to 112. Then all of a sudden, lo and behold, what happens is, and I believe these numbers are as current as you can get them, you have 54 Progressive Conservatives in the upper House, 52 Liberals, four independents, a Liberal Independent and a Reformer, totalling 112.

1010

Interjection.

Mr Perruzza: And then we got the GST. So, in effect, what you have happening is—the rationale for why the Senate was created—that after almost 125 years it was about to flex its muscles and say: "Sir John A. Macdonald said we had some authority. We're going to exercise it for a change." What happens? Bang, they don't exercise it any more and there's essentially no change.

Throughout its history it's cost us a lot of money. Most senators are there pretty well their whole lives. They're political appointments, and you only need to look at the breakdown to see that. Since we've had only Conservative and Liberal governments federally, they're mostly all Progressive Conservatives or Liberals. There are very few others, if any at all. It seems to be the patronage plum of government.

So what happens and where are we now? We've tried on a number of occasions to reform the Senate and say it should have some authority. Some people say it should be elected. In fact, there have been a number of processes set up to try to figure out what we could do to make it regionally representative and to some degree accountable to the people of Canada, but what you have happening is

that there's a political tussle. Every region and everyone seems to feel that during the reform exercise they should gain a little more authority. Not being able to gain more power through a reform process, what do you have happen? Essentially nothing. If nothing happens, you preserve the status quo. And what's the status quo? We have this elaborate institution with 112 members with staff and perks and all the other things that go with these kinds of positions. What does it do? It does essentially nothing.

Interjection: Could you spell that?

Mr Perruzza: It does nothing. My colleague asks, "How do you spell 'nothing'?" Most people out there know how to spell "nothing." They know what "nothing" means and what it does. What it does is cost us an awful lot of money to sustain.

This is why I'm before you and this chamber today to ask for your support, because we know what will soon happen. We have a new federal government. We have a federal Liberal government but the Conservatives have the majority in the Senate. So what will happen? I'll tell you what will happen. Prime Minister Chrétien is going to have to go out, find a few Liberals tucked away somewhere, probably people who have been bagmen for the party, and try to appoint them to the Senate to take back his majority. I say that is unfair and it should be done away with.

Mr James J. Bradley (St Catharines): I actually don't welcome the opportunity to speak on this this morning, for one reason: I have been very critical over the years of this Legislature dealing with matters which are clearly outside its jurisdiction. I think it's a complete waste of time when members of any political party under any circumstances bring forward issues that have absolutely nothing to do with the Legislature of the province of Ontario.

On many occasions I go into secondary schools to speak to students and try to talk about the delineation of powers in the three levels of government, in some cases the four levels when you have two municipal levels of government. What happens is, the questions that get directed to me are often questions which have nothing to do with the provincial government.

I try to explain to the students that my views on federal issues or municipal issues are not the views that should count in terms of their evaluation of my position as a provincial member of Parliament. For instance, they'll ask, "What do you think of capital punishment?" because that is a matter that may be of some interest. But this Legislature has no power over the issue of capital punishment.

I think political representatives do a disservice to people they represent when they start talking about issues, particularly in this House and particularly in this hour, that have absolutely nothing to do with the Ontario Legislature. It's probably happened with members of all three parties in this House. I may even have, on some occasions in years gone by, discussed issues, not in this period but at other times, that are outside the jurisdiction of this House.

There are some that impact on the House; they are interprovincial. I do have some acceptance of that, that when there is an interprovincial component, it's important that this Legislature be dealing with the issue. But I think all of us must begin to reflect upon what we are doing out there in terms of dealing with the electorate. I try to deal as much as possible only in those issues within the responsibility of the provincial government.

I hear people who are critical of our government in Ontario on issues that have nothing to do with provincial government, and while it may not be in my partisan interests to do so, I try to explain to people that it is not Premier Rae's fault or the Ontario government's fault for an issue which is of a national nature or an exclusively federal nature. It gets down to even silly points, where people, when they don't have a sidewalk fixed, say, "Well, that must be Bob Rae's fault" or "That must be Brian Mulroney's fault" when he was the Prime Minister.

There may be reasons why we as opposition or we as individuals may be critical of a specific government, but I don't think it's fair and I don't think it serves our people well to deal with these issues in this House.

The member has a lot of interesting views on issues that are under provincial jurisdiction, and while I haven't always agreed with them, I've enjoyed hearing him speak in the House on those issues. That's why I'm disappointed today that we're off on a fishing trip with a federal issue that really does not reflect on matters before this House.

But the issue is before us, and I will address it very briefly, because during the Charlottetown agreement, there was some discussion where the Premier had to make pronouncements on whether there would be a Senate or not. I happen to be one who believes there's not a need for a second chamber in this country. There's not a need for a second chamber in this province—we haven't had it for years and years and years—and there's not a need for a second chamber in the federal system.

If I could look at a system that would entertain a second chamber with some justification, it might be a federal system. But I think in this country the House of Commons reflects the people of this country. I think we have provincial premiers who are very strong. There are only 10 provinces. There are two territories, soon to be three territories. These people can gather together and could have an awful lot of impact on what happens in this country.

Rather than having a Senate, I think we simply have to give more jurisdiction and perhaps a little more power and prestige to first ministers' conferences, where they speak for the provinces. In addition to this, within a cabinet there are people who speak for various parts of the country and within the various caucuses that are represented in the federal House of Commons and indeed as private citizens.

I don't think there's a necessity for a second House in 1993. The cost is always one factor. And as to the jurisdiction, sorry, I do not like appointed people having the ability to overrule elected people, and members of the Senate are appointed people. I'm not saying they've been totally useless, I'm not saying that they haven't served

some purposes with their committees and some of the work they've done. They have done some reasonably good work. I just don't think there's a need for that second chamber.

When we discussed the Charlottetown agreement, there was a lot of consensus, a lot of people who buried hatchets. I will diverge just a bit to talk about us as political representatives, because I think some of the members served on a committee of the Legislature that dealt with that.

I listened to people across this country say: "You politicians are always fighting. We turn on the television set and you're arguing in the Legislature." In fact, I heard a couple of kids in the elevator the other day say, "Are we going in the place where those guys argue all the time?" That was an exact quote. Now, there are men and women in this House arguing, but that's the way they put it.

In this country, we've had a lot of clashes. The question period, on a daily basis, is very confrontational, and some of the other parts are confrontational. So for once the people got together from various political parties and said: "Let's bury the hatchet. Let's try to form a consensus. Let's go across the country and hear what people have to say on this issue."

1020

What happens? As soon as they come up with a consensus, some of the same people who asked, "Why are they always fighting and involved in confrontation, and why can't they work together?" say: "Oh, those politicians are all the same. There they are in bed together now. They're all the same, they're the élite." On one hand they asked that the politicians work together and when they did work together they said, "You shouldn't work together." It just makes it a little more difficult to be representatives on that basis.

I'm opposed to an elected Senate as well as an appointed Senate because I don't believe there's a need for a second chamber. If you have to come to a compromise, one of the compromises I could not accept is a triple E Senate. I do not believe it should be effective, I do not believe it should be equal and elected, because I believe in representation by population. I do not believe, much as I have a lot of time and respect for the people of Prince Edward Island, for instance, that the people of Prince Edward Island should have as much say in the national policies as those who reside in provinces such as Ontario or Quebec, which have very large populations. We must take into consideration the points of view of those people, but there is no way we should be diverging from representation based on population. We do that enough now through our provincial boundaries to accommodate people in rural areas and in sparsely populated areas. I don't think it's necessary to do it.

By the way, I also disagreed with Premier Rae's quota system when he was talking about a Senate. He said you had to have three men and three women. I may want six women sitting in the Senate, if you had a Senate. I want to be able to vote for those six women or six men or any combination of either. I do not like it when you impose quotas, because it really means you're prohibiting women

from having more than three seats of the six seats in Ontario. I think quotas are not good in that system. Let's elect the best people. I always vote, at a municipal level, for the people I believe will do the best job regardless of what the gender happens to be.

To go back to the issue at hand, I believe we should not have a second chamber. I believe the Senate should be abolished, but I want to remind members of this House that it cannot be done easily, because what the member is asking for when he asks that this issue be reopened is another constitutional round. I'm going to tell you, I don't want to go through another constitutional round when the unemployment rate in my riding is 16%. The last thing the people want to talk about is a Senate or anything else.

I will be voting in favour of this resolution. I don't think it should be before this House; nevertheless, as it is, I'll be voting in favour of the resolution, but I do it only in theory because I do not want them to reopen the constitutional can of worms.

Mr Norman W. Sterling (Carleton): I want to thank the member for bringing such an original resolution before this Legislature.

Mr Robert V. Callahan (Brampton South): I think you did it earlier.

Mr Sterling: Oh, you must be referring to the resolution in the spring of 1992. I want to point out to the Speaker and the House that there is a difference between the two resolutions. My resolution said that in the opinion of this House the Senate of Canada should be abolished. I agree with the former speaker from St Catharines that this present resolution is not within the realm of the business of this House. The resolution I presented in the spring of 1992 was within the realm of the business of the House, and I—

Mr George Mammoliti (Yorkview): Why don't you explain the difference?

Mr Sterling: I will explain the difference. Under our Constitution, it is a requirement that the federal government and all 10 provincial governments unanimously come to Senate reform proposals. In other words, if we are going to abolish the Senate of Canada, it would require the federal government and all provinces, including the province of Ontario, to say that shall be the way.

My resolution, put forward before this Legislature in 1992, was expressing the opinion of this Legislature towards that proposal. What the present resolution put forward by the member says is that the government of Canada should do this. Well, quite frankly, the government of Canada cannot do this because it doesn't have the power to do it.

The other part that is important, and I think it was highlighted by the member for St Catharines' speech, is that we should not in this Legislature, in my opinion, continue to say this other level of government should be doing this or should be doing that. Surely within our own realm or area of business—and I believe the provincial Legislature probably has a larger number of topics and things we can discuss than any other level of government—we can find some issues which are relevant to our

own place and that we can have some real impact on. After all, I don't think the people out there really believe that to pass a resolution to tell somebody else to do something is a very powerful statement by this Legislature.

I do think, though, that the member, in bringing forward this resolution, is probably trying in some way to mirror the resolution which I brought forward and trying to gain an expression of the Legislature towards the Senate.

Some might think that because I brought forward a resolution a year and a half ago and things have changed slightly at the federal government, that there has been a change of government there, I might change my attitude towards the Senate. My attitude towards the Senate and my support for it has not changed; in other words, my lack of support for it has not changed.

I think what will be interesting to watch is the reaction of the Conservative-controlled Senate in Ottawa vis-à-vis the Liberal government. If one looks back in history at what the Senate has represented in our federal structure, before 1984, as I remember it in terms of the history of the Senate, the Senate was basically thought of by the public as a chamber of sober second thought. Legislation, after it was brought before the House of Commons, would go to the Senate and they would consider amendments to the bills. In spite of the fact that there were some political appointments, some people who were perhaps not less qualified, there are some very, very talented people who have been appointed to the Senate as well.

I thought that until 1984, the Senate didn't work badly. One of the reasons it didn't work badly is that it really never challenged the Commons in terms of what it wanted to do. Be it a government of Conservatives or Liberals over the past 100-and-some years preceding 1984, the Senate never stood up and said, "This shall not be the way the law will be." In my view, it was only when Allan MacEachen walked from the House of Commons to the Senate that the nature of the Senate changed. I think Allan MacEachen has destroyed the credibility of the Senate because what he did was politicize the Senate to a degree where he came in and he said—

Mr Len Wood (Cochrane North): Is he a Tory?

Mr Sterling: No, he's a Liberal. He was a former Liberal House leader and a former Liberal Finance minister; a very powerful politician, a very skilled politician. But when he went to the Senate, I think he forgot that he was changing his role as an elected MP to become an appointed senator. I think what he did, he did from 1984 on, and his Liberal senators who were there began to assume they had the same mandate as an elected member of the House of Commons had. So when something came in front of them from the Conservative-controlled Commons which they didn't like, they started to act like elected politicians and thought they had the mandate, particularly on very unpopular programs and legislation, like the GST, like free trade, which generated a lot of debate in the House of Commons and in this country.

I admit there were a lot of people who were against both of those things. Who is for a tax, whether you call it a GST or any other tax? The Senate took it upon itself to be elected people who said to the other elected people, "You can't do this to the people of Canada," and they had no right to say no.

1030

I want to tell you that I hope that if the Senate is not abolished—I don't think it will be, for the reasons the member for St Catharines identified. I don't think anybody wants to go back into constitutional talks at this time. I think people are still exhausted from the last constitutional talks. I don't think the whole idea of the Senate abolishing the Senate is on the table for discussion, probably for another five or 10 years. We're going to see a Conservative-controlled Senate and a Liberal-controlled House of Commons, and I only hope the Conservative senators do not hold up legislation from the majority Liberal government of the House of Commons, as was experienced in reverse over the last 10 years by the Mulroney government in Ottawa.

I don't care how unpopular is whatever the Liberal government should bring forward. I do not believe a Conservative-controlled Senate has the right to hold up legislation unduly or turn back legislation from the Liberal-controlled House of Commons of Canada. The Liberal government is the elected government of the people of Canada and I don't believe the Conservative senators have the right to say, "No" or to say "You can't have this for a lengthy, lengthy period of time."

I damn the former Liberal senators who turned back and turned this chamber, from being perceived by the public as a chamber of sober second thought, into another political organ, because they didn't have that right, they have never had that right, and even though constitutionally they had been given those powers, they have never been exercised, in the prudence of former Senates that have sat in this country for 100, 120 and 125 years.

I want to say first of all that it's unfortunate that the wording of this resolution is inaccurate, but I take the thrust of the member's resolution. This member supported my resolution some year and a half ago in this Legislature, which I appreciate, and I think the thrust in the resolution should be supported as well.

Mr Mammoliti: I want to thank the member for Downsview for giving me the opportunity to speak on this particular resolution. I agree with the resolution, and that isn't a secret. I certainly spoke out publicly on this issue during the debates a year and a half ago, roughly, and I continue speaking out.

I can't understand, however, some of the comments that have been made today in this Legislature. The Liberals who responded to the member for Downsview's resolution tell us, and the member for St Catharines from the Liberal Party tells us, that it has nothing to do with this House, the provincial House. I don't agree with that statement and I can't understand, quite frankly, why he makes that statement. How could he possibly say that the voice of Ontarians doesn't have anything to do with commenting on this particular resolution?

What he's saying is that it doesn't belong in this Legislature and that we shouldn't be standing up and speaking about this, that in his words it's a waste of time.

Mr Allan K. McLean (Simcoe East): He's right.

Mr Mammoliti: I hear heckling from the Conservatives saying he's right. I don't agree with that statement. I don't agree that he's right. I think he's wrong. I think we are the voice for Ontarians, I think it belongs in this Legislature and I can't understand his logic.

How can he possibly say it doesn't belong in this Legislature when we're spending approximately \$45 million a year to run the Senate, and at the same time that we're spending this money, the federal government is cutting the provincial transfer payments and at this particular time owes us approximately \$5 billion? How could this gentleman from St Catharines, from the Liberal Party, stand up and say it doesn't belong in this House?

Mr Callahan: Are you being partisan?

Mr Mammoliti: No. I hear heckling from the Liberals. I'm not being partisan; I'm being honest. I'm sharing my feelings with you, as the member for St Catharines shared earlier. I respect the fact that he told us how he feels, but he's wrong. He's wrong, and you tell the taxpayers of this province that it doesn't belong in this particular House and you know exactly what they'll tell you.

For the Conservatives, on the other hand, of course the member for Carleton stands up and he doesn't believe the Senate should hold up the Liberal agenda. That's what he said. He doesn't believe the Senate should hold up any of the new Liberal government's agenda. So let me ask the question: What do they do then? What's their responsibility? What's their responsibility at the federal level and what do they do? Do they just rubber-stamp anything that comes in front of them? If that's the case, I believe even more that this particular resolution belongs in this House.

We need to send a message to our federal counterparts and that message has to be: "You're not doing anything. You have no responsibilities. Abolish the Senate. Save the \$45 million a year and put it towards the debt." I didn't hear that in the federal election that just took place. I didn't hear anybody say, "Let's take that \$45 million and put it towards the debt."

Mr Callahan: Didn't Audrey say that?

Mr Mammoliti: Except Audrey McLaughlin, the New Democratic leader. She is the only person who came out publicly and said, "Abolish the Senate."

Mr Callahan: She did not.

Mr Mammoliti: Oh, I hear heckling again from the Liberals saying, "She did not." I'm assuming that perhaps Mr Chrétien said, "Let's get rid of the Senate," as well, and if that's the case, even more at this particular time I would say to the members across, to the Liberal Party, make a phone call to your leader, then, and have him abolish the Senate, have him start the process.

The argument comes out again that it's not particularly the right time to get into this debate at the federal level. To give the Liberals credit, I would say they're right in terms of jobs. People want jobs. They don't want the

constitutional debate to come forward at this particular time. However, and much as I agree with that comment, that doesn't mean this Legislature can't send the message, that doesn't mean this House should not send the message.

For the people in this place who stand up and say it's not our responsibility, give your heads a shake and explain that to your constituents. Explain to your constituents the role the Senate plays at the federal level. Explain to them that you've stood up here and said, "It's not my responsibility." Oh, give your heads a shake and find out what your constituents actually believe and actually want you to do as members.

1040

Mr Callahan: I rise to repeat, probably, the same speech I made when the member for Carleton brought this matter before the Legislature.

I think people are fed up with being overgoverned. We've got regional government; we've got school boards that consist of 20 and 30 and 40 people; we've got area municipalities; we've got federal governments; we've got provincial governments. It's no wonder this country has a deficit. If I had to support that many relatives in my family, I'd probably have a deficit too.

I want to say that it demonstrates and we're seeing this morning the true indicia of how senseless it is to have these Thursday morning meetings. There is absolutely nothing that will be accomplished by any of them.

Mr Mammoliti: Here we go again: "It's not our responsibility."

Mr Callahan: I'm telling you the way I feel. This Legislature badly requires reform. We sit here on Thursday mornings from 10 to 12, and I don't know what the cost of it is, but it's incredible: Certain bills are passed, initiatives are brought forward by private members and they never get beyond the bellows of the government leader's desk.

The present occupant of the Speaker's chair brought in an excellent bill on photos for health cards. Where did that go? No place. The Ministry of Health was in favour of it. They've never seen the light of day. We don't even know what the government's doing these days with the health cards.

I suggest to you that all this debate that we do on Thursday mornings is just an expense the public can do without, thank you, just like they can do perhaps without the Senate. Perhaps they can do without regional government; perhaps they can do with smaller school boards. We burden the taxpayers with all these costs of unnecessary bodies.

Getting back to the message at hand, we've already sent the message to Ottawa. It was sent when the member for Carleton brought a motion in that regard and I spoke on that.

I should perhaps take this opportunity to apologize to those people who called me up afterwards and said that they were not all political hacks and that they were not all useless people. There are a lot of people in the Senate who are very intelligent, hardworking people but it still doesn't justify it to me. I've never been in favour of a

body that is not accountable to the electorate. There's an adage that non-elected people with power are dangerous, so I suggest that the Senate, if it's going to have any existence whatsoever—maybe it's necessary; maybe it will be in expanding Canada to provide some type of proportional representation—should be elected. They should certainly not be collecting moneys from the government of Canada, from the taxpayers of this country, if they're not elected and they're not accountable to the people.

I think this motion by the member for Downsview is sour grapes. If you look at the present situation in Ottawa, with only a pair of Tories in the Conservative House of Commons, they weren't going to be given any money for research or anything else. They got help from the majority in the Senate because they have all this research money to help out the couple of Tories who are in the House. The New Democratic Party, because it has no senators, is not going to get any money. They don't have any research money, and of course they didn't do that well in the last federal election. So the nature of this perhaps has something to do with sour grapes.

When one looks at the constitutional debates that went on in this country about the abolition of the Senate, I don't think anybody wants to go back to that, because right now the major thing is the economy of this country: Get people back to work. Get them retrained so they can get into jobs that perhaps have become more futuristic.

I suggest that standing here and debating an issue such as the abolition of the Senate, although many of us could easily say, "Sure, abolish it," is like belling the cat—the mice might want the cat belled but the question is, who's going to bell the cat? That's precisely what's going on here.

The fact that we say the Senate should be abolished: Do you think Ottawa is going to turn around tomorrow morning and abolish the Senate? Number one, they can't do it, the member for Downsview should know, because it has to be done, as my friend from Carleton said, under the Constitution by a certain procedure. Mr Chrétien, as Prime Minister, does not have absolute power, nor would he use it if he had it, but he can't just abolish the Senate by clicking his fingers.

I suggest to the member for Downsview that this is an interesting motion and it's been an interesting exercise in debating, but apart from that, it's not much more. I suggest again, in closing, that perhaps we should look at the reform of this place to the extent that the government would accept more initiatives, more bills from private members, and make the hour that we spend here in the morning at the expense of the taxpayers of Ontario meaningful, so that the people of this province would get more for their taxes.

You tell your House leader that initiatives that are brought forward here are brought forward by people who care about them and want to see them passed.

Mr McLean: I want to take a few minutes this morning just to comment briefly on this resolution. The resolution reads: "That, in the opinion of this House, this Parliament should call upon the new federal government to abolish the Senate of Canada."

There's not much point in wasting a lot of time debating this resolution. My colleague the member for Carleton brought in the resolution on July 23, 1992, and this Legislature voted overwhelmingly in favour of that resolution which clearly and concisely called for the Senate of Canada to be abolished. The members here overwhelmingly supported that. Why are we debating another resolution today along the same lines?

I would say that the member for Downsview is wasting the time of this Legislature on this issue. The time could be better spent on cleaning up the mess of his government and colleagues as they fumble and they bumble their way through this process here trying to govern the province.

I understand another closure motion will be coming in today. During the election campaign in 1990 the Premier made all kinds of promises. He talked about the Agenda for People, which was stacked with promises. How many of those promises have been fulfilled when we look at the insurance, we look at what he was going to do with regard to the issue surrounding loans to farmers, to the small businesses? What has he done up until yesterday? He made some announcement with regard to that.

I'm not the first one to say that this resolution is certainly a waste of time. There are issues out there that I read about: the teachers' strikes that have taken place in this province. Why are we not debating this hour in this Legislature about how we could have better legislation and change so that those children would be back in school?

We look at the issue with regard to the Consumer and Commercial Relations fees which my leader mentioned here the other day and the great percentage increases that are affecting the people across the province, the taxpayers. Why are we not debating something like that?

We look at the government debt, the bond agency that announced yesterday the lowering of the credit rating. Why are we not discussing how that could be changed so that the Finance minister could rejuggle his books in order to restructure the way they spend money in government?

The other major issue in this province is Ontario Hydro. Why are we not discussing more about Ontario Hydro, the Bruce plant that they were trying to close or indicated that they were not going to retube, the amount of jobs that are up there?

Today I read in the paper where the Premier has even written a letter in the Toronto Star: "NDP has had to consider all of Ontario in making decisions in hard times." When I read that article, it is an election item on the Premier's agenda now to try and get re-elected in 1995. I cannot anticipate how the Premier could even think of getting re-elected on the promises that he has broken, on the changes that he has made in this province with regard to his friends in labour, how they banged at the doors here yesterday, trying to get in.

Now this member brings a resolution forward today with regard to asking the new federal government to abolish the Senate of Canada. That issue has been dealt with and the member for St Catharines was saying here

this morning it's redundant. The member for Carleton brought that in last year and it was passed.

Why aren't we talking about the new tobacco legislation here? Why are we not talking about the issues that are on the minds of the people, the people who are out there who haven't got a job, the people who are out there who for the first time have to go on welfare, the first time they have to go for assistance. There are so many issues that we should be debating instead of wasting our time on a resolution talking about what the federal government should do.

1050

This is a government in opposition. This is a government that has not got the ideas to put forward, to make sound judgements based on what the people of this province want. They still want to criticize somebody else. If it's not the GST, it's the Senate. If it's not the Senate, it will be something else. It's strictly a government in opposition.

We will deal with some other issues such as the county bill next week.

Mr Rosario Marchese (Fort York): I'm happy to be supporting Mr Perruzza's resolution and say that it is a very simple resolution, not complicated by excessive or unnecessary verbiage, quite clear, quite simple.

As to what the Liberals have said about this bill, two of them have said this bill is beyond the jurisdiction of the province, that we should not be dealing with it. They spent several minutes saying why it is beyond our jurisdiction and spent four or five or 10 minutes speaking to the substance of this motion. So quite clearly they recognize that it is within the jurisdiction of this province to deal with such an issue.

The Tories say through Mr McLean: "Mr Sterling has already dealt with this motion. It's a Tory motion. Mr Perruzza supported it, I supported it and others supported it." So what he's saying is that once the Tories have dealt with it, we don't need to deal with it again, because they dealt with it.

What I say to Mr McLean is that this issue needs to be debated and redebated. It has been debated since the 1920s and it probably will continue to be debated. We need to influence the federal government to take action on this, and it is within the jurisdiction of this province to deal with this matter.

He knows—Mr Sterling understood it—that in order to change the Senate, you need a constitutional amendment. In order to get that amendment, you need provincial support, or not, to do that. Quite clearly we as a province are involved whether we like it or not. So we're debating the substance of the debate, and to that I say we need to abolish the Senate.

But I want to say, before I get into some of the comments about this, that both the Liberals and the Tories say the people of Canada do not want yet another constitutional discussion. To that I argue that at some point in the very near future, we, the people of Ontario and the rest of Canada, need to deal with the constitutional discussion again. Reform needs to happen, because it won't go away.

We need to deal with the fact that the territories want to become provinces. They are not going to disappear. They want provincehood and they want constitutional reform. Aboriginal people want constitutional reform. We need constitutional reform for aboriginal people, and they will not disappear.

The issue of the Senate will come back, either elected or the abolishment of it. It will come back because the people of Ontario want to deal with the Senate. Unlike the opinion of Mr McLean, who says nobody wants to talk about it, the people of Ontario are talking about it.

The whole issue of provincial powers comes back, and it comes back over and over again. The provinces want reform on provincial powers. It comes through constitutional reform. We also need to deal with the issues that have concerned Quebec because they affect the unity of this country.

They argue we can't talk about this, that the people don't want it. Well, I tell the members who say this that whether they like it or not, these issues need to be dealt with, because they affect the economy of this country, they affect relations of provinces in this country, and when that happens, it affects us as a country. They'll have to deal with it whether they like it or not. On this score, I say we will have to deal with constitutional reform.

On the whole issue of the present system of the Senate, the present system is an abysmal failure. It doesn't work. It's pork-barrelling, and everybody knows it. Trudeau did it. Then Mulroney said, "I'll fix it," and he did. He appointed Tories. That's how he fixed the problem of the Senate. It is an illegitimate way to put people in the Senate. It is unacceptable and it is abhorrent to the people of Ontario and to Canada. The present system doesn't work.

As to an elected system, I argue it would be a better system to elect senators because they at least would be more accountable. They would be more equal, and I accept a counterbalance. In the House they're elected by population, representation by population; in the Senate you'd have an equal Senate based on provinces. I can accept that counterbalance. It's not a big problem for me.

Equal, yes, elected, yes, but when it comes to the issue of effective, if the Senate doesn't have the power to be able to bring the government down, then why do we need a Senate? Yes, they would be more equal, yes, they would be more accountable, but if it doesn't have the full powers to be effective, why do we need it?

The final point about this is that we don't need a Senate, not in its present form, not in an elected form, because either of the two systems would be ineffective and wrong. The conclusion one comes to, quite simply, is let us abolish the Senate and let the Legislature make this statement again and again and again.

When members have an opinion to make, want to bring forth a resolution, it's a good resolution to debate because the people of Ontario want to debate and want to deal with this. I'm happy to stand here today to support this resolution. It's a good resolution, simple, and I think we should all be supporting it.

Mr Gordon Mills (Durham East): I appreciate the couple of minutes or so that my colleagues have allowed me to speak to this issue, and I must say that I'm not here to debate about why this is happening, why that is happening. I'm here to bring what I heard during the federal election.

I went from here and attended all the all-candidates meetings in the recent federal election. One of the burning questions that came up over and over again to all the candidates there was, how do you stand about the abolition of the Senate? The very asking of the question caused pandemonium in every meeting I went to. People clapped and they would not sit down. They clapped and applauded.

Finally, all these candidates got to their feet, including the Liberals and the Conservatives, and said: "Yes, you know, you're right. We should abolish the Senate." These mealy-mouthed creatures who stack the Senate with their appointments are sickening to the people. Every time the Conservatives get out, they post their friends into the Senate. They get \$100,000, they never go near the place, they get expenses up to their ears, and it's the perks. It's a little pension plan that they get in addition to something else.

I heard the member for Brampton this morning on his high horse, and it's wonderful when you're on the top of the pile to talk about how bad the NDP is, but the NDP has never put anybody in the Senate. I can tell you that Turner and Trudeau filling the Senate up with all their buddies is so—I mustn't say the word here but the public hates it. They cannot stomach this patronage and what's going on in the Senate.

As I speak for the people of Durham East, I say to you, Mr Speaker, that without exception they tell me we must abolish the Senate, immediately if not last week. People here have said: "This is nothing to do with us. Why are you wasting time?" I don't consider it a waste of time at all to stand in my place this morning and tell the folks here what the people in Durham East think about the Senate. That's not a waste of time, not at all. They despise this organization, and I say, as the clock winds down to one second and then none, we should do away with the Senate right this week.

The Deputy Speaker: The member for Downsview, you have two minutes to reply.

Mr Perruzza: Just very quickly to wrap up, I found this morning really interesting. My Liberal and Conservative friends—actually the two Liberals who spoke to this immediately left the House after having said their piece. They come in here and say, "We shouldn't be talking about this," but boy, they came in this morning, and they rarely ever do, and did they say a few things about this. And my Conservative friends, boy, did they do the same thing. They had the courage to stay. They're still here and they're listening intently, and I know they're listening intently.

1100

Mr Speaker, what's within our jurisdiction? Is free trade within our jurisdiction? You know and I know and most people here know that it's not within our jurisdic-

tion, but boy, does it affect Ontario and, boy, I'd like to see a Liberal or a Conservative go back to their communities and say, "I'm not going to go to Queen's Park and talk about free trade, no way, no how, no sirree." I can tell you right darned quick that, boy, would they get the boot. They'd get the boot so far they could take their Florida holiday early. They could take their pension, they could take their severance pay and they could go to Florida for six months, because they wouldn't be coming back to this place, I'll tell you that right now.

Should we be talking about NAFTA and free trade with Mexico? Boy, I tell you, if a Liberal or a Conservative came to this chamber and said, "No, I'm not going to talk about that," would they be able to take their holiday early too. I say to them, keep sinking money in a dud. The Senate is a dud.

Interjection.

Mr Perruzza: My Conservative friend says, "It's the chamber of sober second thought." Well, I can't vouch for the sober, I don't know if they're sober, but I can tell you something: They're never there. The majority of them are never there. There's a handful at best any time they're to consider anything that's sober.

The Deputy Speaker: Thank you. The time for the first ballot item has expired.

CANCER TREATMENT

Mrs Sullivan moved private member's notice of motion number 29:

That, in the opinion of this House, given that the Ontario Cancer Treatment and Research Foundation and the Ontario Cancer Institute have provided exemplary service to cancer patients in Ontario, but that these institutions face major capital and operating deficiencies; and that the number of new patients requiring timely treatment is expected to reach 60,000 per year by the year 2000 at the same time as hundreds of thousands of patients need continuing care through a cooperative, coordinated system developed on a regional basis; and that a comprehensive system integrating research, education and patient services will enhance the provision of cancer treatment in the province; and that the 1985 Provincial Role Study of Cancer Services in Ontario prepared for the OCTRF and the OCI recommended the establishment of an Ontario cancer agency and that those institutions accepted that recommendation in principle; this House recommends that the government of Ontario should introduce legislation at the earliest possible opportunity to establish an Ontario cancer agency which will merge the Ontario Cancer Treatment and Research Foundation and the Ontario Cancer Institute into one unified organization under a single board, to provide a comprehensive cancer control program for Ontario through a comprehensive cancer centre in each region, and to provide administrative and functional coordination of all resources for cancer control in Ontario.

The Deputy Speaker (Mr Gilles E. Morin): Pursuant to standing order 96(c)(i), the honourable member has 10 minutes for her presentation.

Mrs Barbara Sullivan (Halton Centre): I want to start my remarks by indicating to the House that this

resolution is based on my belief that we need a new paradigm in the development of a health care strategy today and, as part of that, a rational strategy and vehicle for planning an integrated cancer control system.

The evolution of cancer care in Ontario has been a long one with significant steps being taken in the early 1930s with the establishment of the Cody commission and its recommendations that the new radiation technologies which were being found effective in cancer care be concentrated in regional clinics.

These centralized regional services provided the basis for what is known today as our cancer system and were able to include a critical mass that attracted expertise in cancer care specialists, a logical approach to equipment acquisition and strong research programs which are integral to cancer care.

Fifty years ago the Ontario Cancer Treatment and Research Foundation was established to coordinate a comprehensive program of prevention, diagnosis, treatment, research and education and to be responsible for the funding and direction of regional cancer care centres. The eight centres which have evolved since that time provide multidisciplinary care onsite, with community outreach through cancer clinics located in community hospitals.

Later, the Ontario Cancer Institute was established, linking the major teaching hospitals in Toronto with the academic component of the University of Toronto medical school and the provincial hospital tertiary referral centre, the Princess Margaret Hospital.

The OCTRF and the OCI form the formal cancer system in Ontario. Only they may provide radiotherapy treatments that are required by 50% of Ontario's cancer patients. The remaining portion of patients who may require other treatment such as surgery or chemotherapy may be treated through the OCI-OCTRF system, through community hospitals or through clinics offered by medical oncologists. Haematologists, internal medical specialists, surgeons and other providers all work both inside and outside the formal cancer system.

Forty years ago, legislation recognized the OCI and the OCTRF as separate but affiliated organizations. Both are charged with responsibilities for research, diagnosis and treatment and both provide comparable patient services in community outreach. The OCI has a singular international reputation in research and has established a particular role in providing specialty education for those who work in cancer care in various specialties, such as radiation, pathology, surgical and medical oncology, biophysics and radiation biology. The significance of their role is not just for Ontario but for the country as a whole.

Like the Princess Margaret Hospital, the regional centres offer comprehensive cancer care, including treatment and education with clinical and basic research in a multidisciplinary environment, and all regional centres are now allied with a health sciences centre.

Outside the formal system, though, every public hospital in Ontario offers care to cancer patients, and hospital services which are involved in cancer care include such things as physiotherapy, laboratory services,

diagnostic imaging, surgical services, educational services, social work, pastoral care and many others.

Medical schools and teaching hospitals have a separate role in determining numbers of trainees in various specialty fields.

It is a fragmented system, and over the years there have been intense cycles of crises when facilities and services, equipment and personnel have not been in place to provide timely, appropriate and effective care to people who need it.

As well, the evaluation of care provided has been spotty, and I say that is particularly true outside the formal system. Human resources planning has been deficient as well in ensuring that we are graduating those health care providers with the skills and training needed in this highly specialized area. That deficiency, I point out, extends well beyond the field of radiology and beyond the medical specialties themselves.

In bringing this resolution to the House, I think it's useful to review where we are today and where we want to be tomorrow. I don't think anyone would disagree that where we want to be is with a fully functioning, integrated and comprehensive cancer control system which includes effective and efficient treatment as close to the patient's home as possible.

But a cancer control strategy, I point out, goes beyond that. A cancer control strategy must include a continuum of appropriate care tailored to the individual needs of the patient, including prevention, early detection, diagnosis, treatment, rehabilitation, home care and palliation.

It must incorporate research and education and the means and the flexibility to take advantage of that research and apply it to a clinical setting, no matter what the clinical setting. It must include up-to-date care management systems providing clinical and other data and it must allow for continuing evaluation and accountability.

An appropriate cancer control strategy must include long-term human resources planning and planning for capital development in a multi-year framework that takes account of both new and replacement capital needs. Both planning and delivery must be collaborative and multidisciplinary and must integrate the formal system with services provided and needed outside of that system.

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Those broad goals are not new. They have been identified in part or in total by other studies, by professional bodies and by consumer groups, but a particularly important 1985 study underlined those needs. The Provincial Role Study of Cancer Services in Ontario was commissioned jointly by the OCTRF and the OCI. In this resolution today, I am reflecting one of the major recommendations of that report which continues to be a valid one. That recommendation is to develop a fully comprehensive cancer control program established across the province and establish a unified cancer agency. The specific recommendation says:

"The new organization should preserve the existing basis of cancer control delivery. It should be given the mandate to coordinate all cancer care programming

throughout the health care system in the province, respecting the jurisdictional rights and obligations of existing hospitals, universities and other agencies with special interests in cancer control. It should also reaffirm the existing mandate currently held by the OCTRF-OCI to deliver programs through existing cancer centres and the OCI."

In their commentary, the authors note:

"Future requirements will only increase the need for a coordinated oncologic program in the province.... A province-wide system based on the OCTRF and the OCI, together with a coordinated network of interested and committed physicians in the community, would be the best way to disseminate...new knowledge. A coordinated system would also encourage establishing and maintaining adequate standards, treatment effectiveness and efficiency in a high-cost environment."

My own view is that the 1985 report recommendations are key, identifying as they do priorities and components needed in a comprehensive cancer program. They talk to the role of community physicians whose function is pivotal, and particularly so, by example, when drugs with increasing toxicity to patient and provider alike are used in cancer care. Appropriate utilization evaluation, prescribing guidelines and coordinated educational programs are needed to ensure that the physician is working with maximum and up-to-date information and that a consistent auditing system is in place across the province.

Oncological nurses, surgical oncologists, laboratory physicians and others need to be more integrated into a cancer network as part of a multidisciplinary team. Increasing needs for palliation must be included in a cancer control strategy, as should paediatric oncology. Care management information systems need enhancing and research needs a firm and stable funding base.

The psychological and social needs of the patient are increasingly important concerns in a continuum of care, and too often they are left out of our planning.

I was pleased yesterday to note at our cancer task force hearings at the Princess Margaret Hospital that Dr Tom Dickson, president of the Ontario Medical Association, endorsed the principle of a unified cancer control agency which would promote the highest quality of care and utilize the expertise, leadership and standards of the OCI-OCTRF. Like many others, his gauge was the need for consistent principles for referral, diagnosis, assessment, treatment and follow-up of all patients and for a cancer control program that ensures equal, standardized care.

This resolution is not about a specific structure. That should and must be further discussed, and mutual agreements made. Rather, it is about an appropriate vehicle for the development of an appropriate cancer control strategy and program that integrate the work of the formal system with the work that takes part outside of that system.

Mr Jim Wilson (Simcoe West): Mrs Sullivan's private member's resolution is based on discussion contained within the 1985 Provincial Role Study of Cancer Services prepared for the Ontario Cancer Treatment and Research Foundation and the Ontario Cancer Institute. Part of the report's discussion focuses on the

establishment of an Ontario cancer agency to merge the Ontario Cancer Treatment and Research Foundation and the Ontario Cancer Institute into one unified organization under one board.

Ironically, it was a Liberal government which sat on this report while in government. The PC Party, my caucus colleagues and I are firmly in favour of better management and coordination of cancer services in Ontario. Over the last few months we have heard endless stories of staff shortages, long waiting lists and ailing patients with nowhere to turn. We've heard these stories from our constituents, health providers and through the media.

There is a cancer crisis in the province of Ontario—I think there is no doubt of that now—and I want to talk for a moment about what the NDP government's response has been. Cancer services are inadequate and have not been managed effectively by the government. The leader of the Ontario PC Party, Mike Harris, brought to the attention of this Legislature the case of an American patient jumping the queue at a London, Ontario, treatment centre. Judy Thompson, a Kitchener resident who waited three months for radiotherapy, met a Port Huron, Michigan, woman at the London Regional Cancer Centre who told her that she had been cleared for similar treatment in just one week.

The Ontario Cancer Treatment and Research Foundation has estimated that Ontario needs 104 more radiation therapists. Currently only 321 in total are employed in the province. The Minister of Health indicated that she has put out a worldwide call to radiation oncologists and therapists to come to Ontario to practise. We have heard that of the 11 radiation oncologists who graduated in June 1993, only four have chosen to stay in Ontario to practise.

If I had more time I would go into the reasons health care providers and physicians are actually discouraged by the policies of this government from practising here in Ontario. Even though we spend millions of dollars of taxpayers' money to educate those people in Ontario, they find it, in most cases, better to leave.

The ministry response to huge waiting lists for cancer services was six regional round tables focusing on how to involve consumers in the planning process. Talk about ridiculous. We have people dying on waiting lists and the ministry's response focuses on how to make politically correct cancer decisions.

What is the PCs' position with respect to today's resolution? I think it goes without saying that my caucus firmly supports any well-researched coordination and amalgamation efforts which would lead to better services for patients requiring cancer services. If the proposed amalgamation, that is, the one proposed in today's resolution, of the Ontario Cancer Treatment and Research Foundation and the Ontario Cancer Institute can be shown to result in better services for patients, I would support the resolution both in principle and in fact.

What we must not lose sight of, however, in our discussions today is how cancer services can be best coordinated in the province. It is a fact that the Ontario Cancer Institute, Princess Margaret Hospital and the

Ontario Cancer Treatment and Research Foundation really only represent about 22% of the total cancer system in the province. Even with the proposed merger, the bulk of cancer services, 78% to be exact, are left unaccounted for. A strong case can be made to deal first with the 78% of cancer services outside of the Ontario Cancer Institute and the Ontario Cancer Treatment and Research Foundation.

By agreeing in principle to this resolution, I am concerned that the adoption of this resolution by the government may be perceived as the provincial response to the cancer needs of the future. The PC caucus believes that a provincial cancer strategy must go beyond this Liberal Party resolution. A provincial cancer strategy must cover 100% of cancer services across the province, and it is our feeling that province-wide coordination of cancer services is indeed long overdue.

The Ontario Cancer Institute, Princess Margaret Hospital and the Ontario Cancer Treatment and Research Foundation are operating at full capacity and have waiting lists. Unlike other parts of the health care world, where underutilized resources are being closed or otherwise rationalized, both Princess Margaret and the Cancer Treatment and Research Foundation are fully utilized.

It is my feeling that a merger between OCI, PMH and OCTRF should be done in conjunction with province-wide cancer service coordination. At this point in time, it should be noted that the Princess Margaret Hospital is not in favour of such a merger. While Princess Margaret has expressed a willingness to participate in a review of cancer services, it does not believe that extensive financial benefits would result from a merger. In my view, financial benefits and better service delivery must be proven before a merger is even contemplated by the province.

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With respect to the proposal of a single board, five of the Ontario Cancer Institute's board members are Ontario Cancer Treatment and Research Foundation appointees and the others represent some other institutions, so there is already a tight organizational representation.

On the downside of a government-endorsed merger proposal from an Ontario Cancer Institute perspective is the problem of holding the capital campaign together. The Ontario Cancer Treatment and Research Foundation is 100% funded, while the Ontario Cancer Institute is not; in fact, the Ontario Cancer Institute is currently trying to raise some \$50 million. We have been advised by the Ontario Cancer Institute that the merger proposal, or the adoption of this resolution this morning, has the potential to seriously damage its fund-raising campaign.

In summary, we believe it is high time for a province-wide cancer strategy. We support the principle of greater collaboration, with the aim of higher-quality, more cost-effective service for the entire cancer care sector. We do not believe, based on concerns brought to our attention by the Ontario Cancer Institute, that a merger between the Ontario Cancer Institute and the Ontario Cancer Treatment and Research Foundation will result in province-wide coordination of cancer services and cost savings. For these reasons, and others I've outlined in the

course of my remarks, I will not be supporting the Liberal resolution.

In closing, though, I would like to commend the member for Halton Centre for the work she has done in this area, and I would very sincerely like to recognize that her motion was put forward this morning with the very best of intentions.

Mr Paul Wessinger (Simcoe Centre): I think it's fair to say that all members of this House and from all sides of this House recognize, both from a personal aspect and from a general health aspect, the importance of developing a cancer strategy that is comprehensive and that deals with the whole issue of cancer treatment and cancer prevention. I think all of us have personally been affected by those of our family and our friends who've been lost to this dread disease, and also we've been impressed by the number of our family and friends who have conquered this disease. I think we need to do everything we can to have the most effective program in treatment and the most effective prevention programs we can have.

First of all, I'd like to indicate that our government is working on a comprehensive cancer strategy. We've been involved ever since we began in government in consultations to put the final touches to a provincial cancer strategy that would encompass the full continuum of cancer care; that is, from tertiary care treatment, from community care, to palliative care to prevention. I think it's important that remain a high priority.

With respect to the question of shortages, which were referred to by the critic for the third party, I believe we have responded. We as a government have recognized the need for more radiation oncologists, recognized the need for more radiation technicians, recognized the need for more radiation machines, and we have responded. Our government has responded with increased funding and increased efforts to meet this need. We've also responded in establishing the province-wide referral system to try to ensure that people get timely treatment.

With respect to the specific aspect of this motion, of the merger of the OCTRF and the OCI, I know at one time it was considered an acceptable proposal by both of these institutions, but, as indicated by my friend the member for Simcoe West, one of the parties at the moment feels such a merger would be premature. If we look at the past experience with respect to mergers of large institutions, they've not always worked out to the best: they've not always realized the financial savings and they haven't always resulted in more efficiency. Particularly in view of the fact that one of the parties to the proposed marriage is not in favour at this time, that is, the OCI, I would suggest it is premature at this time.

I recognize and certainly the government recognizes the need for coordination between these two agencies in the joint planning. I think that is the preliminary approach that should be taken, to encourage more joint planning and see what can be done with respect to joint management to move towards a more coordinated system. It may in the longer run be best that these institutions be merged, but I suggest it's very premature at this time.

For that reason, the government will not be supporting

the resolution, because we feel the merger would be premature. To be fair to both the member for Halton Centre and the member for Simcoe West, I think there's a unified agreement that what we must work on is a comprehensive cancer strategy, and that is the high priority for all of us to work towards in order that we do make continued progress with respect to the treatment and prevention of cancer.

Cancer is a disease. Whether it's something that's more prevalent in our century, perhaps maybe societal, self-inflicted in the sense of the pollution of the environment, the workplace conditions, the lifestyle aspects, we have to look at all these aspects with respect to why it is that cancer has become such a growing disease in our society. We have to be much more successful on the preventive side, as well as providing the needed treatment, as well as providing the care in the community, as well as providing the palliative care so people who are faced with the disease continue to live in the community.

Ms Dianne Poole (Eglinton): It gives me very great pleasure to rise in support of the resolution of the member for Halton Centre. If we take a look at this resolution and ask ourselves what it really says, it talks about very important things in the delivery of cancer care treatment across this province. It talks about "a cooperative, coordinated system developed on a regional basis." It talks about "a comprehensive system integrating research, education and patient services" which "will enhance the provision of cancer treatment in the province."

When I look at the work of the Ontario Cancer Treatment and Research Foundation and the Ontario Cancer Institute, I really say that we are very fortunate in the province of Ontario to have these fine institutions that have provided so much in the way of research, education, cancer treatment and care.

But one thing I have found as we have travelled across the province in our cancer care task force, which was established by Lyn McLeod, is that there's a very different approach in the various regions of the province. Again, when we've been visiting the regional cancer centres, we have been very appreciative of some of the very positive things that have happened in Ontario, that we have a very caring, compassionate, highly skilled staff, including physicians, including therapists, including technicians, including all the support systems, the social workers, the nurses throughout the entire system, and they are doing their best. But one theme is consistently coming out: These people are overworked and overtaxed.

Each individual region has very different needs. We had a presentation from the chief executive officer of the Hamilton Regional Cancer Centre, and he said they've resolved a number of their problems; that they had long waiting lists, but with the delivery of new machines and because they've recently hired four cancer oncologists, some of their problems, at least in the short term, have been remedied.

But other centres were extremely concerned about the shortfall, and I will talk specifically about what we heard at two of the areas in Metro Toronto: first, the Princess Margaret Hospital and, second, the Bayview Regional Cancer Centre. What we heard there was very interesting.

The first thing I learned was that in fact the OCI and the OCTRF only utilize 22% of the resources in the formal cancer system; the remaining 78% is actually in the informal cancer system, and this is in the area, for instance, of the community hospitals. This is where I think we need the greatest coordination and the greatest effort to make sure that they are getting the information, that they are getting the assistance, that in fact that network is out there and working.

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Right now I believe that the regional cancer centres are fulfilling a very important function in trying to coordinate this. But one of the concerns of the member for Halton Centre and one of the concerns that I've shared since I've travelled the province is that I'm not sure our network is as strong as it needs to be, particularly in the provision of information and education.

We're looking at two systems, in effect: a formal cancer system which includes our regional cancer centres, and an informal system which includes all the community hospitals, the clinics and the informal mechanisms where they're providing cancer services. I think it's tremendously important, particularly in this day and age, that we ensure that those resources are equitably accessed across the province, that information is available across the province.

That's why I think members of this Legislature should very seriously consider supporting this. She did it by way of a member's resolution, rather than legislation, so that there would be flexibility to give the government the opportunity to further study the issue, weigh the merits and look at some of the disadvantages, certainly, in some of the things that would have to be rectified before we put that in place.

Yesterday, when we had hearings at the Princess Margaret Hospital, and it was a particularly interesting place to have been the day before this resolution, we had a presentation by Dr Tom Dickson, the president of the Ontario Medical Association. I think he summarized a number of the needs of the cancer care system very succinctly.

He said, first of all, that cancer care needs more technical resources, more human resources, more fiscal resources. Secondly, it must be user-friendly. Thirdly, he said cancer care needs a unified and representative cancer care agency. He was very supportive of having this unified body which comprises the OCI, the OCTRF, the Ministry of Health and the OMA, all as partners together, not to say that one of these groups would rule the other. That's not the way he envisaged it, and I know it's not the way the member for Halton Centre sees this.

Fourthly, he said we need continuing medical education, fifthly, that cancer care requires equitable access across the province and a centralized approach to data management, and sixthly, that there should be the development of clinical guidelines, although obviously many are already in place across the province.

When we look at what is provided across the province, it's also important for us to look at where we have dissimilarities. One of these that I found was in the area

of patient support. In certain centres such as, for instance, London, when we were there, we had a presentation from a patient who had actually been appointed to the regional advisory council, as a consumer, so that she could put forward her ideas.

The chief executive officer at the London Regional Cancer Centre, Dr Levin, was extremely sensitive to try and incorporate some of the desires of patients and some of the needs of patients into the system.

One of the things that Marie, that patient, said was that when a patient walks in the door, they need the team approach: a social worker, a nutritionist, a nurse, an advocate, a radiation oncologist, a pharmacist and a scientist—obviously, not at the same time; all these things have to be coordinated at the right time so that they're available for the patients.

We heard from Susan in Toronto, who talked about the stress of being a patient, who also talked about things such as the relocation program for Metro women with breast cancer treatments and how stressful that was, the need for better coordination of information, better communication, better explanations to the patients. All these things lead me to believe that we do need that coordination so the patient support system is there in every part of this province.

I would urge members of this House to support the resolution of the member for Halton Centre, and I very much appreciate her dedication in bringing it forward.

Mr Allan K. McLean (Simcoe East): I welcome the opportunity to comment briefly on this resolution from the member for Halton Centre, which recommends that the provincial government introduce legislation "to establish an Ontario cancer agency which will merge the Ontario Cancer Treatment and Research Foundation and the Ontario Cancer Institute into one unified organization under a single board, to provide a comprehensive cancer control program for Ontario through a comprehensive cancer centre in each region, and to provide administrative and functional coordination of all resources for cancer control in Ontario."

I'm disappointed to hear that the government is not going to support this resolution. I cannot believe why the debate that's taken place here this morning wouldn't certainly be in the interests of the government's agenda and of the people of this province. I support this resolution in principle because our caucus favours improved management and coordination of cancer services in Ontario.

We have all heard numerous reports from our constituents, health care providers and the media of short staff, long waiting lists and ailing patients with nowhere to turn. I trust you will agree the facts speak for themselves. An estimated 116,200 new cases of cancer will be diagnosed in Canada this year alone, and an estimated 59,700 deaths will be caused by cancer. The Ontario Cancer Registry predicts that there will be 30,000 new cases of cancer in men and 28,000 new cases in women in Ontario by the year 2000. So the number of Ontario residents being diagnosed with cancer is growing at about 4% annually.

Breast cancer is the most common cancer among women. The waiting lists for treatment of cancers of the breast, cervix, larynx, lung and prostate have doubled over the past decade. Waiting lists at cancer units in Ontario regularly exceed the standards for optimum care set by the Canadian Association of Radiation Oncologists, which suggests that a gap of four weeks between diagnosis and treatment should be the maximum waiting period.

The Ontario Cancer Treatment and Research Foundation has estimated there are 321 radiation therapists employed in Ontario and that we need an additional 104.

This is certainly a disturbing situation and one that has not improved under the mismanagement of the current Minister of Health and her NDP government. There are people dying while on waiting lists, and the Minister of Health sets up her regional round tables to make politically correct cancer decisions.

My party and I support any well-researched co-ordination and amalgamation efforts that would lead to better services for patients requiring cancer services. If the member for Halton Centre's proposed amalgamation of the Ontario Cancer Treatment and Research Foundation and the Ontario Cancer Institute can be shown to result in improved services for patients, I would support the resolution both in principle and in fact. The time is long overdue for this government to develop a province-wide cancer strategy. But I do not believe the proposed merger will result in effective province-wide coordination of cancer services and cost savings.

In today's clippings, it was interesting to see the recommendation that was made yesterday. It says:

"Ontario needs the equivalent of at least two new major cancer centres if it is going to even attempt to keep up with treatment demands, a task force on cancer care was told yesterday.

"That may not be enough if the incidence of the disease increases beyond current projections, which are considered cautious by some members of the medical community, said Dr Tom McCowan."

McCowan, the chairman of the Ontario Medical Association section on radiation oncology and also a practising cancer specialist at Toronto's Princess Margaret Hospital, says, "We've got a planned shortage of 20 machines year after year until after the turn of the century.... One out of five patients who need radiation therapy year after year is not going to get it and others are going to have to wait longer than they should." This is a cancer specialist whom I'm referring to. He says, "There is implicit rationing in the system right now. We're going to have to start discussing explicit rationing of care."

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"Dr William Mackillop, chief of radiation therapy at Kingston Regional Cancer Centre, suggested the Ministry of Health 'has not fully recognized the value of radiotherapy. The indications for radiotherapy are well established today and unlikely to change over the next 20 years,' he said, citing a long list of benefits associated with the treatment."

Another individual at that task force was Susan Copland, who told the task force of the toll taken on her and her family. "The stress was unbelievable," she said. "I didn't sleep well. I didn't function well. To say that I was extremely upset is an understatement."

She was a 50-year-old mental health worker who was diagnosed with breast cancer two years ago after undergoing a mammogram. She had a lumpectomy in the autumn of 1991 and radiation therapy was prescribed. But she was told that she would have to go to Thunder Bay and her treatments would start in November. The bottom line was she was able to have the treatment in Toronto but she had to wait until December.

"It was a long, long emotionally draining fall," said Copland. "I firmly believe that good mental health is crucial to how cancer patients cope."

I think that article really sums up the problem we have here in Ontario today. I say to the member for Halton Centre, bringing this resolution forward for debate in this House is worthy of consideration for this government to support this resolution.

Mr Gordon Mills (Durham East): It's my pleasure to stand here this morning and debate the resolution as put forward by the member for Halton Centre. I can tell you that when I was elected to this Legislature one of the things in my riding that I thought I wouldn't be addressing was cancer care for my constituents.

I can share with you perhaps a private part of my life that I've never shared with anyone here before, until this morning—and I think it's very appropriate—that I, too, have been a victim of cancer on two occasions, and but for the grace of God and Princess Margaret Hospital, I'm able to stand in my place here this morning.

I have a real empathy, a real feeling. I know what it's like to get up in the morning and the first thing on your mind is, when am I going to get treatment? and the last thing on your mind when you go to bed at night is the same thing. When you get up the next morning it's the first thing on your mind. This goes on for weeks and weeks and weeks. I can tell you that the effects on one's personality are absolutely amazing. You become a different person, because you are consumed with what's going to happen to you and how you're going to be treated.

I have great empathy with the system and the people, the care givers and the ones who give advice to you when you first walk in that door and receive the dreaded news that you have this dreadful disease, and how you cope with it.

Having shared that with you, and I didn't do it in any dramatic means, I just want to tell you that I do have tremendous empathy and feeling about cancer care. I do that in my riding. I represent part of Oshawa and in that riding, represented by my colleague the member for Durham Centre, is Oshawa General Hospital. They have a chemotherapy unit there. I've had meetings with those folks. It's traumatic, the people who go all over the riding, who get up in the morning. They start off at 5 o'clock in the morning and they get on buses and in cars to make their trek down to the Bayview centre or to the

Princess Margaret Hospital.

All they're going to get is perhaps a minute of radiation treatment and may be there with five or six other people who've come down there. They wait until the different appointments go through the day and then they struggle back, in most instances, late at night, with a volunteer driver, only to repeat the process for the next day. In most cases the treatments last perhaps 24 days, 30 days, and they do this for that period of time. That is an awful, traumatic experience to go through for all that time.

I'd just like to give you some facts about Durham region in general. Between 1980 and 1990, the number of new cancer cases in Durham region that were registered at radiation therapy centres increased by 61%. The number of new cancer cases each year from the region of Durham will increase by 56% over the next 10 years, from 1,720 in 1991 to 2,680 by the year 2001. At the recently opened chemotherapy unit in Oshawa General Hospital, in 1992-93 there were 6,072 outpatient visits. That's 164% higher than the case load of just five years ago.

The only cancer treatment that's not available at present at the Oshawa General Hospital is radiation therapy. I for one, and I don't know whether it's my government's policy but I'm speaking as a concerned representative of the people in Durham East—we are asking that this be considered, and considered very soon. I don't like to see people coming into my office in a state of despair about the delay in getting into various cancer treatment centres.

I think perhaps we could do some things with this resolution. Personally, I've got some difficulty recognizing the benefits that the merger would bring. It begs the question, to me, of, why merge these organizations. While we support the concept of a comprehensive, cooperative, coordinated system of cancer care—and goodness only knows I do—we believe perhaps we have to go much further in a cancer strategy than a merger of the two existing organizations.

I applaud the member for Halton Centre for bringing this forward. It's good that we debate these issues here and it's good that we debate them as individuals who represent various ridings across this province. That's what this is all about. I would like to ask the member if perhaps the two organizations hopefully can investigate the possible benefits and the adverse effects of such a merger.

We can do so much, I think, to prevent cancer. I maybe step outside my bounds as an MPP, but I'm always encouraging people who come to see me in a discussion, asking them, "When did you have a check-up?" They say, "I haven't been to the doctor for 20 years." So in a nice, roundabout way I say to them, "I really think you should go." This prevention and encouraging people to look after themselves is another aspect of this.

I'm very privileged to be able to speak and share my own personal experiences here with the House this morning.

Mr Sean G. Conway (Renfrew North): I'm pleased to be able to speak to the motion standing in the name of my colleague and friend Mrs Sullivan, the member for Halton Centre.

It's always a pleasure to follow the member for Durham East who, like another politician of my acquaintance, speaks straight from the heart. I thought, as always, Mr Mills was very poignant and very helpful in his observations.

I too have been travelling with the Liberal task force on cancer care. Later this afternoon I'll be driving to Sudbury to participate in the hearings there tomorrow. I have been impressed, fascinated, troubled by a lot of what I've heard. My overwhelming impression is what a good system we do have and how incredibly effective a lot of providers and support groups are.

We were in London not too long ago, and as I think Mrs Sullivan may have commented in her remarks, the London regional cancer treatment facility, under the able direction of Dr Levin, and all the support groups and all the outreach were absolutely impressive, as I think we have found in Toronto and in Kingston and in Hamilton.

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There are problems, and the problems are not everywhere the same. One of the things that's been identified in the hearings, and certainly was very, very directly spoken to by the president of the Ontario Medical Association, is this whole issue and the whole question of a coordinated approach to cancer care in the province.

Mrs Sullivan reminded me just a moment ago, and I'll ask her to correct me if I'm wrong, that something like 50% of all cancer patients in the province of Ontario are dealt with, are treated, outside of the formal system that is represented by the Ontario Cancer Treatment and Research Foundation and the Ontario Cancer Institute. Am I not correct in that?

That means 50%, or a very large number of the cancer patients in Ontario, in communities like Frontenac and Renfrew and Durham and Toronto, are dealt with by other means: their local doctor, their local public hospital, their local physiotherapist or some other therapist or some other support group or treatment facility.

That's surprising to me, because I would have imagined the percentage of individuals outside of the formal system to have been much, much smaller. But roughly one in two patients with cancer in the province are treated by individuals or organizations outside of what we will call the formal system.

What Mrs Sullivan has tried to do in this motion is make the point that we must have better coordination. We must ensure that the very excellent and able leadership that is provided by the formal system—the Princess Margaret, the Ontario Cancer Institute, the Ontario Cancer Treatment and Research Foundation, and they are wonderful people with a tremendous record and a very considerable mandate—that their standards, their leadership and their follow-up are provided not just to people inside the formal system but also the nearly 50% of cancer care that is provided outside of that system.

Dr Dickson, in his testimony before the Liberal task

force committee yesterday, made a very compelling argument in support, I think, of the intent of Mrs Sullivan's resolution. That is one of the issues on which I am sure all members would want to support the member who has put the resolution in today.

As the previous speaker, Mr Mills, indicated, there is an enormous sensitivity throughout the province about cancer care. We need to assure to a greater degree than we have that there is one very good standard all across the province and that there is a coordination, there is a focus and there is a leadership to ensure that if you are a cancer patient in Sioux Lookout, Ontario, or in the west end of Toronto, you are going to be provided, within reason, with the same information, the same education, the same support and the same range of choices.

I say, in taking my seat to provide the few last moments to my colleague from Halton, the fact that we have at least 50% of cancer patients in the province who are outside the formal system—and we know, and, as I say, the OMA testimony yesterday makes plain that there is worrisome evidence that there is an unevenness at the present time—should give pause and should I think cause us all to want to support the resolution Mrs Sullivan has brought here today.

Mr Robert Frankford (Scarborough East): I'm very pleased to speak in this debate and I welcome the initiative of the member for Halton Centre in introducing this motion about a very important topic. If there were strong pressure from the Ontario Cancer Treatment and Research Foundation and the Ontario Cancer Institute to go ahead with this, I would be very supportive, but I gather that there are some reservations there.

I'd like to use this opportunity just to say a few things relating to my personal experience which I think tend to be overlooked. I notice the use of the term "formal and informal systems," and I'm not sure if that's the best term. I have certainly participated in what is referred to as the informal system both as a patient and a practitioner.

As a patient who has had a gastrointestinal malignancy, my treatment was entirely within the general system. I have had no contact that I know of with the so-called formal system, although I assume I am actually registered on the Ontario Cancer Registry, something which I think is extremely important and one of the things which I think we have to do much to encourage these bodies. Whether that is done by a merger, I'm not sure and I would like to be convinced of that, but we certainly do have a very important role for epidemiology, for types of research which can be best done, I believe, through these formal bodies.

I have so little time and there are so many things. Another important aspect of the informal system which I think cannot be underestimated is the palliative care system. I'm not sure how this proposal would help that, and indeed I'm not even sure whether it should. Palliative care certainly involves cancer, but it certainly involves other diseases as well. This is something where community practitioners have an enormous amount to offer. I think my medical colleagues, the nurses who work with them, do a wonderful job out in the community, and I

I'd like to pay tribute to the Palliative At-Home Care Team in Scarborough, which is exactly that, and I believe in many ways is a leader in the province if not in the country in what can be done for palliative care at home.

This may involve the specialized agencies if there's chemotherapy, but I think there's a lot of basic medical care, helping families, helping relieve pain and suffering, which should be basic to all health practitioners, to all doctors really, to deal with what we know is a universal problem.

Mrs Sullivan: I appreciate the little extra time which my colleague has allowed me for summing up, and I want to thank those who have participated in the debate. I have listened to their comments and I believe that each one of them has brought thoughtful remarks to this issue.

With respect to the letter which Mr Wilson, the member for Simcoe West, brought to the floor, yesterday I spoke with Mr Ed King, chairman of the Princess Margaret Hospital, about this resolution and discussed his concerns about a signal which would be made by this House and the effect that signal would have on what is a very serious and large capital fund-raising campaign.

I assured him that the intent of this resolution was first of all to underline that the mandates of the OCI and the OCTRF would not be changed in a renewed structure. However, what was vitally important would be that the leadership, the expertise, the research capability was transferred in a logical and methodical way to the community and to community providers.

I believe that capital campaigns should not be affected. In fact, in my own community at Joseph Brant Memorial Hospital, we have a capital campaign for cancer care going on at the same time, and I would hope that a coordinated system through which donors would have their realistic assurance that we have a coordinated and comprehensive approach to cancer care would in fact enhance fund-raising drives.

I believe that we will never have an effective, efficient, multidisciplinary and multimodal approach to cancer control in our current scenario with the cancer system in one corner and those who work outside of the system in another corner. I believe that we need the expertise and the leadership of the OCI and the OCTRF involved in a new cancer agency, that the medical association and the hospitals must also be involved in a new cancer agency and that this organization should in fact put into place the programs and the administration of a cancer control system.

We must have across-the-province standards that are consistent in terms of principles for referral, for assessment of treatment and for follow-up of patients. I believe that these should be done with a minimum of government intervention by those who are involved as stakeholders, including patients, and I do urge that members of the House support the principle of this resolution and vote yes today.

The Deputy Speaker: The time that is provided for private members' public business has expired.

SENATE OF CANADA

The Deputy Speaker (Mr Gilles E. Morin): We will

deal first with ballot item number 37 standing in the name of Mr Perruzza. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Perruzza has moved private member's resolution number 31. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; a five-minute bell.

The division bells rang from 1202 to 1207.

The Deputy Speaker: Mr Perruzza has moved private member's resolution number 31. All those in favour of the motion will please rise and remain standing until their names are called.

Ayes

Abel, Akande, Bradley, Callahan, Carter, Conway, Cooper, Cordiano, Curling, Duignan, Fletcher, Grandmaitre, Haack, Hansen, Harrington, Haslam, Hayes, Hope, Johnson (Prince Edward-Lennox-South Hastings), Johnson (Don Mills), Kormos, Kwinter, Lessard, MacKinnon, Mammoliti, Marchese, Mathysen, McLean, Mills, O'Connor, Offer, Perruzza, Phillips (Scarborough-Agincourt), Poole, Sutherland, Tilson, Wessenger, White, Wilson (Kingston and The Islands), Wilson (Simcoe West), Wilson (Frontenac-Addington), Winninger, Wiseman, Wood.

The Deputy Speaker: All those opposed will please rise and remain standing until their names are called.

Nays

Daigeler, Sullivan.

The Deputy Speaker: The ayes being 44, the nays 2, I declare the motion carried.

CANCER TREATMENT

The Deputy Speaker (Mr Gilles E. Morin): We will now deal with ballot item number 38 standing in the name of Mrs Sullivan. If any members are opposed to a vote on this ballot item, will they please rise.

Mrs Sullivan has moved private member's resolution number 29. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

All matters relating to private members' business having been completed, I do now leave the chair and the House will adjourn until 1:30.

The House recessed at 1211 and resumed at 1330.

MEMBERS' STATEMENTS

HEALTH CARE

Mr James J. Bradley (St Catharines): I have a letter from one of my constituents which calls for appropriate government action.

"I am writing this letter to express my concerns regarding the cutbacks in Ontario's health care system. I am 51 years of age and suffer from rheumatoid arthritis.

I have had two hip replacements and am awaiting surgery to replace my knees. Upon reading my local newspaper, the St Catharines Standard, I was outraged to see that replacement surgeries were not listed among those considered crucial. Speaking from experience, I consider these procedures very important. Anyone living with the intolerable pain would agree that long waiting periods for surgery are inhumane and insulting.

"On a recent trip to the hospital I learned that the orthopaedic wards at both of St Catharines's hospitals have been closed. Since I am waiting for surgery in this area, this knowledge obviously frightens me. I have recently heard rumours that the surgeon that did both my hip replacements is leaving for the United States to practise medicine....It scares me to learn that competent medical doctors are being forced out of the country due to the lack of funding, and as a consequence the necessary professional service is suffering.

"I believe that one person's medical treatment cannot be considered more important than another person's given that all of the working class population contributes to health care fund through taxes....

"I think it should be brought to the attention of the government that orthopaedic surgery often pertains to elderly people. It is as unethical and disgraceful to discriminate against age as it is to do so on race, colour, religion etc. In closing, it is my wish the medical cutbacks be reviewed and changes made that will benefit all."

I agree with this statement and call upon the government to take appropriate action.

TVO FUND-RAISING

Mr Ted Arnott (Wellington): I would like to congratulate TVOntario and its volunteers for their efforts in raising funds through TVO's membership drive, which wraps up this Saturday. The public is also to be commended for showing its financial support and its interest in the type of programming TVO offers.

TVO's goal of raising \$350,000 from its on-air membership campaign has already been surpassed. The funds will go towards maintaining the type of quality programming which people in Ontario have come to enjoy. In today's economic climate when government deficits mean funding cutbacks, it is especially important and refreshing to see the public coming through voluntarily to fill in the gap.

TVO continues to provide innovative and excellent educational programming. Shows like Bookmice, Polka Dot Door and Mathica's Mathshop delight, entertain and educate children. Adults tune in to current event shows like Between the Lines, which many of the members watch religiously, and movie buffs enjoy Saturday Night at the Movies.

I want to once again wish congratulations and my best wishes to the volunteers and crew at TVOntario as they continue their successful on-air membership drive.

KIDNEY DIALYSIS

Mr Jim Wiseman (Durham West): I'm very pleased with the Minister of Health's announcement today regarding dialysis treatment. This announcement has an

important impact for many of the people of my riding. This expansion of dialysis services to an independent health facility means that the people in the rural part of my riding will have the opportunity to access this life-saving treatment while not having to travel far from home. This is important not only for my constituents but for many people in the eastern GTA who will have this essential service brought closer to them.

The Ministry of Health will fund 36 dialysis treatments a week in an independent outpatient clinic in Markham. Service should begin in February. This means that people who otherwise might have to stay in hospital to receive dialysis will be able to receive it on an outpatient basis and be able to spend more time at home with their families. That point alone has many health benefits.

I am concerned to hear, though, that the number of people in need of the treatment is increasing at an annual rate of about 10% and that the number of organs donated has declined. I believe that the real answer is the organ transplant program as, although dialysis treatment is a lifesaver and this outpatient clinic in Markham will provide some freedom to those who need the treatment, organ transplant will really give these people back their independence, which they so desperately need.

I am hopeful that more patients will benefit from kidney transplants as a result of the development of a plan by Multiple Organ Retrieval and Exchange Ontario, a plan that is funded by this government. In the meantime, however, the government is committed to ensuring dialysis treatment is readily available as part of our overall commitment to preserving health care in this province. The funding the Ministry—

The Speaker (Hon David Warner): The member's time has expired.

HEALTH CARE

Mrs Barbara Sullivan (Halton Centre): I want to bring to the attention of the House what I believe is an extremely important matter, not only in my constituency but in terms of health care planning.

Ten per cent of the population of Burlington receive their primary care from a physician-sponsored health service organization called the Caroline Medical Group. This practice provides multidisciplinary care in an innovative way involving a variety of health care practitioners. It has been the model for alternate funding for physicians, and the staff of 32 full- and part-time workers and five physicians are dedicated to providing comprehensive care to keep people out of hospital. Services provided emphasize ambulatory care, health promotion and home-based treatment programs. Early diagnosis, including breast screening and cervical cancer screening, drug utilization and other areas, such as an in-the-home care program, a home intravenous antibiotic program and so on, are very much a part of their activities.

Their funding has been cut by 35.6%. With those cuts, which are extremely shortsighted, not only will this program and this particular group fail, but so will the entire experiment in Ontario with alternative funding models in health care delivery. This government should be ashamed of itself.

MUNICIPAL PLANNING

Mr Allan K. McLean (Simcoe East): My statement is for the Minister of Municipal Affairs and it concerns his Sewell commission and the concerns on planning and development reform in Ontario.

Municipal governments throughout Ontario worked with the Sewell commission during the consultative process to ensure planning is more accountable, efficient and fair in terms of public participation. They believe changes to the planning system must provide flexibility to allow for regional and local differences and to ensure Ontario remains strong from an economic, social and cultural perspective. Changes must foster a perception in the marketplace that Ontario is open for business.

However, the NDP government's overrestrictive policies, regulations and a lengthy approval process have weakened the province's competitive position and discouraged economic development at a time when it is most needed.

Municipal governments warn that most of the Sewell commission's recommendations will not assist in the recovery in Ontario. In fact the collective impact of new official plans at every level, intervenor funding, comprehensive watershed studies and environmental impact studies will result in more uncertainty and significant delays in approving new, well-planned developments.

I support Ontario's municipalities that are demanding extensive public consultations on all provincial policy statements and all amendments to the Planning Act recommended by the Sewell commission. This commission should be abandoned.

OKTOBERFEST WOMEN OF THE YEAR

Mr Mike Cooper (Kitchener-Wilmot): I'm sure all members are aware of Kitchener-Waterloo's Oktoberfest. Today, I'm pleased to rise and inform members of the Oktoberfest Women of the Year recipients.

The 12 women recognized this year are all exceptional in their areas. The categories and recipients are as follows: for young adult, Shalene McCreary; volunteerism, Valerie Corcoran; sport and recreation, Marg Kirkoran; seniors, Helen Fowler; professional, Jean Brett; multicultural, Gehan Darwash Sabry; humanitarian, Sue Coulter; homemaker, Barb Da Silva; employee, Margaret Stahle; business/entrepreneur, Sonia Adlys; art/history/literature, Mary Ann Horst; and for advocacy, Donna Reid.

During our Oktoberfest celebrations these women were recognized by their peers, friends and families and I had the pleasure of attending a reception in their honour. These women have dedicated themselves to the greatest form of expression. It is a message that spills forth from them for their community, for Ontario and for Canada. As Ontarians, we are beginning to recognize the excellence that is inherent in our province and we are beginning to stand up with pride for what we believe in and for what our province represents. Nowhere is that more evident than in these recipients and the other women who were nominated in these categories.

I would like to take a few moments to invite all members to the December 6 candlelight vigil and service,

if there's one being held in their area. Donna Reid, the recipient in the advocacy category, has set up the December 6 coalition for Waterloo region.

1340

ONTARIO'S CREDIT RATING

Mr Monte Kwinter (Wilson Heights): Yesterday Ontarians received the news that Ontario's credit rating was downgraded again. This makes the third time in three years that Ontario's credit rating has been downgraded under Bob Rae's government.

Ontario lost its AAA rating back in 1991, then the province was downgraded in 1992 and now a further downgrade occurred yesterday. The fiscal performance has been woeful under this government, but at least the Finance minister knows the facts, unlike the leader of the third party.

The Conservative leader stood in this House yesterday and said, "These are the same bond rating agencies that for 42 years gave us an AAA rating when Progressive Conservative governments managed the affairs of this province."

As with many things economic, when the leader of the third party speaks, he has a simplistic but often erroneous interpretation of the facts. In reality, Ontario only had an AAA credit rating for 11—yes, that's 11—years of the 42 years of Conservative rule in this province. From 1943 until 1977, a total of 31 years, Ontario had either an A or an AA rating. In fact, during the first 23 years of Conservative rule, the credit rating was an A, lower than the current level under the NDP.

So when the Conservative leader stands in the House and talks about the AAA credit rating under the Conservatives, Ontarians should realize that, as with the Helle Hulgaard scandal, the leader of the third party has spoken before checking his facts.

VIOLENCE IN SCHOOLS

Mr Cameron Jackson (Burlington South): This morning I attended a meeting of the Safe School Task Force to address the serious problem of now crisis proportions of violence in our schools. Present were teachers, students, trustees and Metro Toronto Police Chief Bill McCormack, who expressed his frustration at being faced with \$22 million in budget cuts and potential layoffs of about 400 officers. These cuts will seriously undermine, if not totally cancel, the ability of the police to deal sensitively with school violence through the Metro Toronto street youth crime unit.

After months of neglect of the problem of school violence, the only assurance that this Minister of Education and Training could give the task force this morning was a promise of \$25,000 to reprint and distribute the Safe School Task Force report and to convene a conference to discuss the issue some time next year.

Everyone—I mean everyone—at that meeting agreed that new partnerships must be formed in order to turn around this most serious problem which has been ignored by this government for far too long. The announcement by the minister today is nothing more than an attempt at crisis management and a deplorable display of funding priorities: to commit only \$25,000 when his government

gives \$4.3 million for an indoor, in-ground, swimming pool with other recreational upgrades for convicted young offenders at the Syl Apps detention centre in Oakville.

It is time for this government to wake up and to take notice of what is happening in schools across Ontario today. As Chief McCormack put it to the committee and to those assembled this morning, "You can invest now in crime prevention in our society or else society will pay later with the additional and unacceptable human costs involved by ignoring this problem."

JOE BELCOT

Mr Ron Hansen (Lincoln): I rise to pay tribute to a man who has kept sports alive in West Lincoln for more than 35 years: Joe Belcot of Smithville.

This tireless community volunteer is credited with founding the Niagara Peninsula Softball Association, the West Lincoln Minor Hockey Association and the township's recreation committee. There isn't enough time to list all of Joe's other sports-related accomplishments. Let's just say that at least three generations of athletes know him on a first-name basis.

Last week, Joe was recognized for his dedication to sports. The region of Niagara sports initiative committee selected him for the Investors Group Community Sports Administration Award. He accepted the honour last Wednesday night during a ceremony at White Oaks Inn and Racquet Club in St Catharines. The award recognizes his tremendous contribution to sports in West Lincoln.

A familiar face around Smithville, Joe has served all facets of his community. He has long been involved with the local Lions Club, serving many years as president, and is a member of the local chamber of commerce. Joe recently devoted countless hours to organizing the annual Lions Club food drive.

On behalf of the people of Lincoln, I offer my heartiest congratulations and best wishes to Joe Belcot, a fine citizen indeed.

Mr Murray J. Elston (Bruce): On a point of order, Mr Speaker: I rise under standing order 38(a) to bring to your attention that later this afternoon I will be introducing a bill to deal with water extraction, which has been a very big problem in my area. Although it says that no notice is required to introduce this bill, I wanted to alert people that this bill was coming later this afternoon and I've asked for your good grace to allow me to make that pre-statement.

The Speaker (Hon David Warner): No, you can't do that. The member knows he doesn't have a point of order, but indeed he's provided a courtesy to the House and to the Chair and I appreciate that.

Hon Floyd Laughren (Deputy Premier): Mr Speaker, I wonder if I could be permitted by my colleagues to make a statement on the white ribbon campaign.

The Speaker: Do we have unanimous agreement? Agreed.

WHITE RIBBON CAMPAIGN

Hon Floyd Laughren (Deputy Premier): I rise today to recognize the launch of the white ribbon campaign.

The campaign focuses on men's responsibility to end violence against women.

This year's campaign will run from November 27 to December 3. Its task is to educate men about their collective responsibility to end violence. As men, we join with the thousands of women working to end violence against women, and our responsibility is great.

Violence against women affects all women. It is not more prevalent in certain cultures or groups of people. It happens in small communities and large, and it happens in good economic times and bad.

Today we have more evidence than ever that ending violence should be our most important social responsibility. Women fear the dangers of violence when they walk alone in the dark and they fear the dangers of violence in their intimate relationships with men.

Women's fears are real. We know that one half of all Canadian women have experienced at least one incidence of violence since the age of 16 and that one out of every four women has experienced violence in the hands of her current or past marital partner. As men, we must take responsibility to tell other men that this violence is wrong and that there is no excuse to use violence to vent frustration or to solve arguments.

Women have broken the silence and come forward and named the violence. Now men must break their silence and challenge other men who use violence in their relationships with women.

We must also challenge sexist jokes and language that degrade women and we must identify and challenge sexual harassment in our workplaces and schools. Each of us must take on this challenge with our families, friends and co-workers.

Members of my caucus wear a white ribbon today as our personal pledge never to commit, condone or remain silent about violence against women, and we commit today to carry that pledge in all of our relationships.

Mr Charles Beer (York North): I rise in support of the statement which my friend and colleague the Minister of Finance has just made, and I would like to respond from my own caucus to add a few more comments.

One of the things that so often occurs when we talk about this issue of violence against women, particularly the responsibility of men in that, is that so often many men will back off and say, "Well, I'm not guilty of that in my own life, so don't raise it, don't discuss it."

I think the minister used the term "responsibility," and that is the word we need to look at in terms of, what is our responsibility, as men, in trying to make sure that this kind of violence does not continue and that we really can establish a zero tolerance of violence against women? That is where we as men have a very important role to play.

In the material which the white ribbon campaign people have sent out, and I commend it to everyone, they talk about the kinds of things which we as men can do within our communities, that we can do with other men that we can apply in terms of ending violence of all kinds, whether it's violence in the school yard, violence among children, violence against other men. But more

specifically, here we are talking about violence against women.

1350

Two years ago, when they launched this campaign, it was interesting that in the comments the organizers made they said that if it were between countries we'd call it a war, if it were a disease we'd call it an epidemic, if it were an oil spill we'd call it a disaster, but far too often we're afraid almost to call it anything or to discuss it or to admit the reality that is out there."

Again, as the minister pointed out, the statistics from the study that was presented to the federal government just a week or 10 days ago underline a reality that we simply must accept in terms of the fact that it happens and then really commit ourselves to making sure that won't happen again.

Maybe the best way for us as men to understand it is to think of our own families, to think of our wives, to think of our daughters, to think of our mothers. Just yesterday, in talking with my own daughter, who's in her early 20s, she was telling me that on the weekend she was going to be babysitting for some friends, for their children, in another place some 30 to 40 miles away from where she lives. She said to me, "Could I borrow your car, which has a phone in it? I will feel I have more protection."

I said to myself, as a father and as a man, that so often for those of us who are males, we don't think in those terms, yet here was my daughter, who, in organizing her life, in trying to plan sensibly, is just saying, "If I've got the possibility of a car that has a phone in it, that's probably better in case something happens to the car." As a father, it just made me stop, sit down and say, "Okay, there is the reality; that's what we're talking about."

For those of us who are men, let's not worry about wandering around saying, "I'm not guilty," or, "Why should I be involved in this? This is just stuff that doesn't directly refer to me." It does, and it does simply in the sense that we bear a responsibility and we can, in our own actions, do something about it. I think that is what the Minister of Finance was saying. I think that's what we all want to say. That's why we want to join in this campaign to make sure our zero tolerance finally will end up where there will not be these statistics of violence against women and we will have really achieved something.

Mr Michael D. Harris (Nipissing): It is with some sadness that I rise to speak on behalf of my caucus on the issue of violence against women. I find it very sad indeed that we live in a society where we have to have an annual awareness campaign on this issue, that despite the advances we've been able to make in so many areas of social justice, we still have to remind each other that no man has the right to raise his hand against a woman.

It's a sad commentary on the kind of society we live in that in these times we still witness events like the one four years ago in Montreal when 14 women were slaughtered for no other reason than because of their gender. It's truly saddening that we are all so familiar with names like Leslie Mahaffy, Kristen French, Nina de Villiers.

Equally saddening, there are thousands and thousands of other women who continually suffer at the hands of violent men, women who are not household names but who suffer none the less.

So again we rise to mark this grim but necessary week. It's often true that where there is grief and sadness there is also cause for hope. I believe that is where the emphasis of White Ribbon Week should lie: in the hope that the awareness campaign will pay off; in the hope that the incalculable toll that violence against women takes on individuals, on families and on all of us as a society will grow smaller with each passing day, each passing month and year; and in the hope that White Ribbon Week may soon change in meaning from an effort to put a stop to the ongoing violence to a remembrance of the way things used to be and to a marker of how far we truly may have come as a society.

It is with this goal in mind that my caucus and I stand in support of White Ribbon Week, in support of continuing efforts to eradicate violence against women. We stand beside all of those who are actively working in the educational and awareness programs aimed at solving the underlying problems which manifest themselves in this violence against women.

We stand with all members of this House in again issuing the call to violent men to lay down their arms, to stop the suffering and to put an end to the violence.

Mr Norman W. Sterling (Carleton): I'd like to seek unanimous consent to note the passing of one of our previous members of the Legislature.

The Speaker (Hon David Warner): Do we have unanimous consent? Agreed. The member for Carleton.

WILLIAM ERSKINE JOHNSTON

Mr Norman W. Sterling (Carleton): Last evening, William Erskine Johnston, from Carp, and the former MPP for Carleton, the riding which I represent, passed away at the age of 88.

Erskine Johnston was the member for Carleton from 1955 to 1971. He was a dairy farmer from the Carp Valley and had perhaps one of the most prosperous and best farms in the whole Carp Valley, which has some very, very rich, rich soil.

Erskine Johnston was a large man in stature and he was a very large man in terms of what he did for his community and what he felt for his community. He was so highly respected. Even up to this past October when I met Erskine at the Carp fair, when he was confined at that time to a wheelchair and could barely see or hear, Erskine was still taking an interest in his community. It was amazing to me that a former member of this Legislature could command such respect, such honour, and be remembered so dearly by his community some 22 or 23 years after he had left the Ontario Legislature.

Erskine Johnston was a man who spoke in this Legislature not very frequently, but when he spoke he was well prepared. I am told by some of my predecessors, some of the people who knew this place prior to 1971—there is not one member in this Legislature who now sits here who sat at that time, but I am told by some of those who were here that even when he would go to a caucus

meeting, Erskine Johnston would speak from prepared notes so that he was certain he was putting forth his particular views of his constituents in a meaningful and organized fashion.

I know all members of this Legislature would wish me, on their behalf, to convey our sympathies to his wife, Aleta, and his family and his community of Carp, which he served so well while he was a member of this Legislature and served so well after he was a member of this Legislature.

Hon Bob Rae (Premier): I know the members of the government would want to join with my good friend from Carleton in celebrating the life of Erskine Johnston as well as in passing on our very best wishes to all the members of his family.

His contributions to this place have been noted by all of us as well as by the very eloquent remarks of my friend Mr Sterling, and we very much want to be associated with what he had to say, and very much want to pass on the wishes of our caucus to all the members of Erskine Johnston's family.

Mr Hans Daigeler (Nepean): On behalf of my party, I also would like to extend our sincere sympathy to the family of Mr Erskine Johnston.

I should explain to the members why I, as the member for Nepean, sincerely regret the passing of Mr Erskine Johnston. At the time when Mr Johnston was the member for Carleton, the city of Nepean was part of that riding. In fact, I have in my office, hanging on the wall, the picture of Erskine Johnston as one of previous members of the area I represent.

In fact, about two years ago when I opened this little exhibition, I had close relatives of Mr Johnston in my office to represent him, because already at that time, unfortunately, he was not able to come to this opening. He was already frail at that point, and indeed he resided, at least at that time—I'm not quite sure whether he recently resided there—in my riding in a home in Nepean.

So I as well, as the member for Nepean and as a member from an area that Mr Johnston represented, extend my personal sympathy and the sympathy of my caucus to the Johnston family.

The Speaker (Hon David Warner): The thoughtful comments by the member for Carleton, the Premier and the member for Nepean will be forwarded to the family of Mr Erskine Johnston.

1400

STATEMENTS BY THE MINISTRY AND RESPONSES INTERPROVINCIAL TRADE COMMERCE INTERPROVINCIAL

Hon Frances Lankin (Minister of Economic Development and Trade): Members on all sides of the House will remember my September 27 announcement that the Ontario government would take actions to mirror the effect of the Quebec trade barriers that discriminate against Ontario workers and companies. I want to take this opportunity to update members on the status of these initiatives.

There are four areas where our government is taking action. First, the Ministry of Transportation has altered its subsidy policy for municipal bus purchases to mirror the effect of Quebec's barriers. Subsidies are not available for the purchase of buses manufactured in Quebec. All new bus purchases will be governed by the new policy.

Second, I have written letters to municipalities, major private sector organizations and construction companies, encouraging them to adopt restrictions on the use of Quebec contractors, subcontractors and construction products. A number of municipalities have already passed resolutions of support or are considering changes to their own procurement practices.

Third, Management Board secretariat has prepared new construction procurement directives for ministries, crown agencies and transfer recipients in the broader public sector. Management Board's new policy was adopted in September, and ministries are now implementing the policy for their purchases or for those of their transfer payment recipients. To date, over \$660 million worth of tenders, involving both direct government projects and contracts let by other agencies, have been affected by our policy.

Today, my colleague the Minister of Labour will deal with the fourth issue, labour mobility. He will be introducing legislation which will have the effect of imposing the same restrictions on Quebec workers as are now imposed on Ontario residents by Quebec's construction legislation and regulations.

Enfin, aujourd'hui même mon collègue le ministre du Travail se penche sur la quatrième section : la mobilité des travailleurs. Il déposera un projet de loi qui aura pour effet d'imposer les mêmes restrictions aux travailleurs québécois qui sont imposées aux travailleurs ontariens par la législation et les règlements du Québec relatifs au bâtiment.

Currently, we are experiencing a severe imbalance in the number of construction workers who are able to find work on the other side of the border. While approximately 4,000 Quebec residents work in the Ottawa area alone, less than 350 Ontarians are able to work in Quebec.

The legislation to be introduced today will place a restriction on employment in the construction sector. Those construction workers who are residents of a jurisdiction which discriminates against Ontario construction workers will not be allowed to work in Ontario. This requirement will apply across the board to both public sector and private sector construction.

We have consulted with all major stakeholders on these policies. Our government has met with representatives of industry and labour to listen to their views. We have worked with municipal leaders and other officials in the broader public sector in designing our response.

Already, I can report that our actions are having some effect. Quebec labour and business groups have been very quick to react to our initiatives. Many have called on their own government to change its policies and practices and to resume negotiations. As well, the Quebec government recently made some minor changes to its policies and practices. These moves appear to signal a willingness

to end some of its discrimination against residents from other provinces and to negotiate changes.

In early November, Quebec signed a procurement agreement with New Brunswick. The deal is limited; it does not even cover construction nor does it deal with labour mobility. However, in negotiating this deal, Quebec has shown that it recognizes that there are problems with its procurement system and that changes are necessary. The agreement also indicates that Quebec is prepared to negotiate on a bilateral basis with other provinces.

As well, the Quebec government recently introduced new legislation to change its construction labour laws. However, preliminary reviews suggest the proposed bill would provide only very limited access for Ontario workers to jobs in Quebec. It clearly does not deal with all of the issues that Ontario has raised.

Our officials have met with officials from the Quebec government to explore in detail their legislation and areas of concern to Ontario. Our approach continues to be to maintain the incentive for Quebec to level the playing field between our two provinces. That is why we are announcing our legislation this afternoon.

At the same time, members should be aware of the efforts that the federal, provincial and territorial governments are making to reduce interprovincial trade barriers. Ontario and other governments have committed themselves to a comprehensive process to address this issue. Negotiations towards an agreement that will reduce these impediments to jobs and economic growth are continuing.

I want to stress that Ontario remains fully committed to this process and will continue to actively participate in the multilateral comprehensive negotiations. It is my hope that these negotiations will produce an agreement by June 1994.

I also want to reiterate that Ontario remains committed to a negotiated settlement of all outstanding issues with Quebec. I have personally communicated this commitment to M. Tremblay, my Quebec counterpart. The measures I have mentioned today and the introduction of new labour legislation are designed to support negotiations to resolve these areas in dispute and to bring down interprovincial trade barriers.

I wish to repeat the assurances we have made directly to the government of Quebec: Ontario will abandon its actions as soon as Quebec opens its borders to Ontario workers and firms.

Je souhaite renouveler les assurances que nous avons données au gouvernement du Québec, à savoir que l'Ontario suspendra les mesures qu'il a prises dès que le Québec ouvrira ses frontières aux entreprises et travailleurs ontariens.

Ontario is committed to the elimination of all interprovincial trade barriers and will continue to work alongside all other governments in Canada to achieve that goal. We are determined that both sets of negotiations will succeed.

VIOLENCE IN SCHOOLS

Hon. David S. Cooke (Minister of Education and Training): Schools in Ontario should be safe places, places where students need only be concerned about

learning. Aggressive behaviour in school yards is not new, but the forms it is taking have changed. When I was a student, there were no guns or knives in our schools. But our schools are microcosms of our society, and our society has become more violent and so have our schools.

Recently, the media have detailed some serious incidents. But reading the news doesn't give a full sense of the anguish felt by victims and their families.

In my travels around the province people have shared with me their personal experiences with violence. Students shouldn't have to suffer the indignities that we are hearing about these days to get an education. We will not tolerate violent behaviour in our schools.

Those who are responsible for violent acts must accept the consequences of their actions.

If government, parents, teachers, school boards, students, social service and law enforcement agencies work together, we can ensure that schools are safe and secure environments for learning.

Excellent work is already being done by individual school boards and parents. I am thinking of programs such as School Watch and Parents Against Violence. The Safe School Task Force has also played an important leadership role.

Because this issue touches so many people, it is best addressed by a unified strategy, a strategy that sets out clear consequences for antisocial behaviour but also begins to deal with the root causes of that behaviour.

That's why I would like to present to you today my ministry's planned strategies for violence-free schools.

I will be directing all school boards to develop violence prevention policies. Some already have such policies, but all boards should be ready to meet the situation head-on. We need to bring some uniformity to these policies across the province. They should include strategies for both immediate intervention and long-term prevention. We will be sharing policy guidelines with boards, and I hope all boards will give priority to having their policies ready to be reviewed by ministry staff.

Some boards have adopted policies permanently expelling students responsible for violent incidents. Other schools have the right to know about a student's history of violent behaviour. Therefore, we will seek to ensure that students who are expelled or suspended for violent acts will have this noted on their records.

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We can't allow such students to undermine the learning environment for others and we can't condone violent behaviour. But we must recognize that there is a real need to help these troubled students and their families to make sure that we do all that is necessary to create opportunities for these students to become productive citizens.

We will be developing an interministerial task force to develop special programs for students who have jeopardized or lost their right to attend schools in a particular jurisdiction.

The Ministry of Education and Training has instructed school boards that violent incidents in schools must be

reported to police and to the Ministry of Education and Training.

To assist the boards, we will prepare a policy memorandum about the process schools should follow for mandatory reporting of these incidents. We will solicit a wide range of views on this policy from school boards, teachers and students.

In the meantime, we will continue to support those on the front lines. I know that, as always, they will continue to use their common sense in dealing with acts of violence.

On March 5, 1994, the Ministry of Education and Training will co-sponsor with other Ontario government ministries, the Ontario Provincial Police and the Safe School Task Force a community summit about violence in schools. This working session will consolidate the partnerships necessary to address this problem.

We will bring together a broad cross-section of Ontarians to look for long-term solutions to creating safe schools. We will encourage parents from urban and rural areas, young people, educators and community leaders to attend. I hope they will use this meeting as an opportunity to share best practices and also to discuss and bring final shape to the policy memorandum on reporting violent incidents.

In February of this year my ministry released the Common Curriculum, which includes a strong emphasis on teaching violence prevention, citizenship development and conflict resolution. I am asking school boards to implement the violence prevention and citizenship outcomes in the Common Curriculum immediately. My ministry will be developing or acquiring appropriate learning materials to support this implementation.

In addition, it is important for us to deal with violence prevention in the context of anti-racism and Bill 21, which addresses racially motivated harassment.

We will be encouraging students to play a more active role in dealing with the problem at their schools. We will support the creation of safe school committees so that students and others can become more involved in finding solutions.

We are planning a communications campaign aimed at students in the community that will build greater public awareness of the problem and create support for solutions.

In closing, I would just like to add that by working to end violence in our schools we are affirming that students and teachers are important and that nothing must be allowed to stand in the way of learning opportunities that students need to become fulfilled members of our society.

The Speaker (Hon David Warner): Statements by ministers? Responses, the official opposition.

Mrs Barbara Sullivan (Halton Centre): Mr Speaker, earlier in members' statements one of the members indicated that the Minister of Health had a statement with respect to dialysis. We've not heard that. I'd be interested in asking for unanimous consent so that she can bring that statement to the House.

The Speaker: Is there unanimous consent for a

statement by the Minister of Health? No, I heard at least one negative voice.

COMMERCE INTERPROVINCIAL

M. Jean Poirier (Prescott et Russell) : Madame la Ministre, premièrement, mes félicitations pour vos nouvelles compétences dans la langue française ; c'est très impressionnant, mais lorsque je regarde le titre —

Interjection: She needs the translation for that one.

M. Poirier : Voilà. Je voulais vous dire que, en réaction à votre déclaration, lorsque vous mentionnez que c'est pour les travailleurs et les travailleuses du bâtiment, je trouve qu'il manque un peu du complet et du sérieux là-dedans. Je peux vous assurer que lorsque vous avez fait votre déclaration le 27 septembre, vous faisiez référence aux barrières commerciales avec le Québec. Étant député frontalier avec la province de Québec, je peux vous assurer que les barrières sont loin d'être complètes et n'ont certainement pas été adressées par votre gouvernement jusqu'à ce moment-ci.

Dans votre troisième niveau de mesures que vous démontrez dans votre déclaration, vous dites justement qu'il y a des directives qui ont été émises pour les marchés des travaux publics et pour les bénéficiaires de transferts de paiement des ministères et des sociétés de la Couronne. Ce que je voudrais savoir c'est quelle sorte de provision vous allez avoir justement pour punir, comment vous allez punir ceux qui ne se plieraient pas à vos exigences et quelles sortes de contrôles vous aurez. J'aurais préféré que vous soyez plus claire et je vous encourage à l'être.

Plus tard, vous dites également, «Mon collègue le ministre du Travail se penche sur la quatrième section : la mobilité des travailleurs.» Je peux vous assurer que mes collègues députés de la région de l'est et sûrement du nord ont souvent des questions des commettants et des commettantes qui veulent savoir qui est visé, comment ça va s'appliquer, quelles sont les restrictions et quels critères vous allez utiliser. Donc, c'est ce qui m'inquiète un peu.

Un peu plus loin, vous faites référence aux 4 000 Québécois qui travaillent dans la région d'Ottawa ainsi qu'aux 350 Ontariens et Ontariennes qui travaillent au Québec. Je peux vous assurer que, tout en étant d'accord avec vous, ce n'est pas juste la région d'Ottawa-Carleton ; il y a évidemment Prescott et Russell et le nord de l'Ontario qui subissent ce genre de problème-là.

Vous avez rencontré les principaux représentants municipaux ; j'espère bien que vous vous êtes attardés aussi à rencontrer spécifiquement ceux et celles qui représentent les municipalités frontalières qui sont particulièrement visées par ce problème-là.

Je pourrais passer pas mal plus de temps, mais je voulais souligner que mes collègues d'Ottawa-Est et de Mississauga-Ouest ont assisté récemment au Sommet de la construction qui a eu lieu à Montréal et je peux vous assurer qu'ils ont noté une grande tension présente entre le gouvernement du Québec et les syndicats là-bas.

Donc, je vous encourage, plutôt que de présenter des projets de loi 80 et d'autres projets antisyndicaux, d'apporter votre projet de loi pour la première, deuxième

et troisième lecture et même la sanction royale avant Noël.

VIOLENCE IN SCHOOLS

Mr Charles Beer (York North): I rise in response to the statement by the Minister of Education and Training. While clearly this is something that has been a major problem for some time and we would have liked to have seen this action earlier, I do want to say to the minister that what is set out here is something that we will support.

Over the course of the last year, in terms of our own review within the Ontario Liberal Party with respect to education, I want to read out the conclusions we have come to, because I think there is a very strong consensus out there that we need to take very firm action. This is from our annual general meeting of just a few weeks ago, which was the culmination of those discussions over the past year:

"The Ontario Liberal Party is committed to zero tolerance of violence and abusive acts in our schools. That being said, administrators and teachers alone cannot change the violence, abusive language, unacceptable actions and disrespect that are all too common in some schools. This change requires a concerted and cooperative effort from everyone involved, parents, students, community representatives and educators. These combined efforts must be based on a commitment to enforce zero tolerance for such behaviour within our school system."

We then went on to set out a number of initiatives that should be brought forward—I will be passing those on to the minister—and I think can be encompassed within the statement you made and the course of action you're setting out.

There are two specific things, Minister, that I would urge you to look at very carefully:

First of all, in order to ensure that there is zero tolerance and that the police are able to act effectively, working with those in the education system, the resources need to be there, the services need to be there. I think you're going to have to discuss with your colleague the Solicitor General ways of ensuring that in fact those resources are there.

Secondly, for those young people who are going to be removed from school, when we were dealing with Bill 4 in the Legislature last spring, we set out clearly the responsibility of school boards to find help for those young people. We've got to ensure that this happens.

The final comment: Let's get moving on the integration of children and youth services. That's critical to making sure there really isn't any violence in our schools.

INTERPROVINCIAL TRADE

Mr Michael D. Harris (Nipissing): To the content of the statement today by the Minister of Economic Development and Trade, we want to say well done. It's about time.

To the Liberals, who ignored the resolution of the member for Carleton and themselves boycotted the vote; to the member for Wilson Heights, who was minister of trade for so long and didn't have enough guts—as this minister has demonstrated, they had enough guts to

finally act. I say to the minister, well done; and I say shame on you, member for Wilson Heights; shame on you, party; shame on you, caucus members.

Mr Murray J. Elston (Bruce): On a point of order, Mr Speaker: Can you advise whether or not the Premier of the province has been to see the Lieutenant Governor? Has the election been officially called or is Mr Harris out to lunch again?

The Speaker (Hon David Warner): It would be helpful if the leader would direct his comments to the Chair.

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Mr Harris: I might add that in her statement the minister might have congratulated the member for Carleton, might have congratulated the member for Don Mills and might have congratulated all the municipalities.

These two members tirelessly gave her their efforts, encouraged the municipalities to come forward with the resolutions—and the municipalities did come forward with the resolutions; they've been pouring in—travelled to municipalities all over this province. My congratulations to the municipalities which supported their call. My only comment is that we made the same representations to the Liberals, and they ignored us for five years.

In your statement you indicated that you are working to reduce impediments to jobs and economic growth. I would simply say that in this aspect I may come to some sense of agreement with my colleagues of inaction to the right of me, and that is that the single largest impediment to jobs and to economic growth in Ontario is actually not the Quebec labour laws but the New Democratic Party government.

The best thing the minister could do to encourage employment, growth and investment in this province would be to convince the Premier to visit the Lieutenant Governor and call for an election today. That indeed would be the best thing you can do.

VIOLENCE IN SCHOOLS

Mr Michael D. Harris (Nipissing): I also wish to respond to the Minister of Education. We are disappointed with the announcement today. The Safe School Task Force was formed three years ago to deal with this issue, and the inaction on the part of this minister has really been distressful.

My party released a document over a year ago, New Directions, Volume II, in which we stated, "All school boards should establish and implement guidelines and enforcement policies for ensuring 'zero tolerance' of violence in schools"—in all schools.

The problem with what you've done today is you've encouraged, a year or two or three years too late, schools to develop their own policies in isolation. At the same time, there is no province-wide policy to deal with this, and there needs to be. There is a vacuum crying out for a province-wide policy.

Police chiefs were told school violence is a major problem in the 1990s by the international association of police chiefs. Why is your government only responding now?

Another question, and the real question: In the vacuum of province-wide policy, when individual schools and boards are coming forward with zero tolerance, where is it that these students will go? Why is there going to be one policy for one board and perhaps a different policy for another board? This is the problem with what you've announced today.

You've talked about the policy on reporting violent incidents to police and the ministry. This should have been in place a long time ago. You talked about the statistics that need to be gathered. Before you can come up with the provincial strategy, you need the statistics. So you're telling them, "We want the strategy today, and then we'll begin to collect the statistics." That's not good enough. We should have been collecting the statistics all along.

The Federation of Women Teachers' Associations of Ontario has been lobbying the government to make it mandatory that violent incidents are reported. You've ignored that for a number of years, and now we don't have the statistics necessary for many of the boards to be able to respond appropriately.

We think it's better than nothing, which is what we got from the Liberals for five years. However, I want to tell you that it is very little, it is too late and it is not well coordinated.

ORAL QUESTIONS

UNDERGROUND ECONOMY

Mrs Lyn McLeod (Leader of the Opposition): My question is to the Treasurer. For several weeks now, at the request of our caucus, the finance and economic affairs committee has been hearing details of the burgeoning underground economy. It is estimated that \$675 million in revenue is lost on the sale of alcohol and tobacco alone.

The Ontario Provincial Police today revealed that the task force set up to tackle the smuggling problem in Cornwall confiscated some 30,000 cartons of cigarettes over the past five weeks. This may seem to be an impressive number, but it pales in comparison to the 50,000 cartons of cigarettes that the police estimate are smuggled across the border at Cornwall every day. This means that every night smugglers are making a million dollars in profit in smuggled cigarettes alone.

The police today told the committee that they are trying to manage an elephant with a mouse. I ask you, Minister, what are you prepared to do to deal with this problem?

Hon Floyd Laughren (Minister of Finance): I'll try to sort out in my mind some time in the future that analogy about the mouse.

I do want to respond to the leader of the official opposition in a serious way, because it is a serious problem facing Ontario and indeed every other province in Canada. I have tried to follow the deliberations at the standing committee dealing with the underground economy as best as I can. I am very much aware of the approximate size of the underground economy, in particular as it affects some key products such as tobacco and alcohol. It is a problem.

It's not enough simply to be aware of the problem. We simply must work together with the federal government, and in our case the Quebec government, in an attempt to stop some of the underground economy and stop some of the smuggling.

As I indicated a week or so ago, I think it was to the member for Renfrew, we have jurisdiction over some areas of the problem, and over others, such as the actual act of smuggling, we don't have jurisdiction. That's a federal jurisdiction. That does not mean to say we shouldn't be making every effort to do what we can to reduce the underground economy. We are taking some measures, and I'll be making a statement in the next week or so, which will go a little further to make sure that we're doing what we can to—

The Speaker (Hon David Warner): Could the minister conclude his response, please.

Hon Mr Laughren: —enforce the laws of the province.

Mrs McLeod: Minister, if you have indeed been following the proceedings of the committee closely, you will know that while the concern about tobacco and alcohol is a significant one and a large part of the problem, it is by no means the entire problem, and that while enforcement is important, it is not the whole answer.

I trust that you are following the proceedings enough to be prepared to deal with the entire issue. If you are following the proceedings, you'll be aware that the Consumers' Association of Canada, when it came before the committee, said that it had no problem in identifying what was another part of the problem. They said that consumers are trying to avoid taxes because they believe the government is squandering the billions of dollars it now collects. The consumers' association said that consumers have lost faith in the system.

Mr Kimble Sutherland (Oxford): Read the whole Hansard, Lyn. Read the whole testimony.

The Speaker: Order.

Mrs McLeod: We bring examples of waste and inefficiency to this Legislature day after day, and in every instance you dismiss them as exaggeration and partisanship.

Interjection.

The Speaker: The member for Oxford.

Mrs McLeod: I ask you today, as we deal with this very serious problem, do you understand that when taxpayers hear about Michael Decter's spending, when they hear about the sweetheart deal that Robin Sears got in Tokyo, that further erodes their confidence in the system? Do you understand that every time the government wastes the taxpayers' dollars, consumers and taxpayers are outraged?

Hon Mr Laughren: I indicated in my first response that this is a serious matter, and it is. If I could be so bold as to venture an opinion, the leader of the official opposition does her cause no good whatsoever when she engages in that kind of virtually irrelevant partisanship that has nothing to do with the underground economy

itself; absolutely nothing.

I believe that the underground economy is a serious problem. When she talks about reducing taxes, for example, I asked for some information on what happened in New Brunswick when they lowered their taxes on cigarettes. They lowered their taxes on cigarettes by, as I recall, about 27% of the taxes on cigarettes, and their total revenues on cigarettes dropped by 22%—total revenues.

The drain on our revenues is what I think bothers a lot of us, because when somebody doesn't pay a tax they should, somebody else picks up the difference. My point to the leader of the official opposition is that simply reducing taxes is not the only solution, and in the end very often we'll end up losing more revenues than we are through smuggling.

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That is not the only aspect of smuggling that's wrong. There is lawlessness associated with smuggling and I don't disagree with those who say that simply to put it in terms of lost dollars is not to address the problem in its full context. I don't disagree with that. We will continue to monitor it and, as I said, I will be making a statement within the week in this House that will go some way towards addressing the problem.

Mrs McLeod: Mr Speaker, the minister just did it again. He's treating what we believe is a very legitimate and serious problem as being simply partisanship. I can tell this minister that when I talk to people out in the communities of this province, lack of confidence that their tax dollars are being well spent is a part of their anger and their frustration and it is part of this problem. Minister, there is no question that taxes are also part of the problem.

It's interesting that you refer to the example of New Brunswick where they lowered taxes and they had some lower tax revenue. It's certainly the opposite of what's happened here in this province because you have raised taxes higher every year. In fact, in total you've raised taxes to the tune of \$3 billion over the past three years and yet your revenues have also declined. They've declined by \$2 billion in spite of \$3 billion in increased taxes. Surely this is clear evidence that you have driven taxes in this province up so high that you are driving people into the underground economy to avoid paying their taxes. They feel they cannot take it any more.

If you are prepared to deal with the problem, will you at least acknowledge that the taxes you have raised are part of the problem and will you commit today to holding the line on any new taxes or tax increases?

Hon Mr Laughren: The underground economy, particularly in a couple of areas such as cigarettes and alcohol, has grown in the last couple of years very substantially. Using those two areas, we did not increase taxes on cigarettes or alcohol in either of the last two budgets.

For the leader of the official opposition, given the taxes they raised in the five years they were in office, to accuse us of raising taxes really lacks credibility. For the leader of the official opposition to say that what we

should be doing is reducing taxes on cigarettes and on alcohol I find very, very strange in view—

Interjections.

The Speaker: Order. Order.

Hon Mr Laughren: If the leader of the official opposition is saying, "No, don't lower taxes on cigarettes and alcohol," I wish she'd make that perfectly clear, because that's sure the message I'm getting. She's saying, "Reduce taxes on cigarettes and alcohol," taxes that pay for the essential services that you are calling for day after day after day in this Legislature.

The Speaker: New question.

Mrs McLeod: Mr Speaker, I realize that you cannot force the members opposite to answer the question that was asked, but I do hope the minister was not suggesting that the entire underground economy is cigarettes and alcohol, because it is surely much broader than that.

ONTARIO'S CREDIT RATING

Mrs Lyn McLeod (Leader of the Opposition): My second question is also to the Minister of Finance. Yesterday you said you did not know how much the credit rating downgrade was going to cost the taxpayers of this province, although I understand you did suggest that it would not have a major impact on your borrowing costs. Yet in an earlier memo to the finance committee your ministry staff said that every downgrading of the province's credit rating would increase borrowing costs by 0.25%. If our calculations are correct, this means \$25 million in new costs for every \$10 billion of borrowing.

Surely, as Minister of Finance for this province, you knew exactly how much the downgrading was going to cost the taxpayers of this province, or did you simply think that \$25 million this year was not worth mentioning? Will you tell us today how many millions of dollars the downgrade in your credit rating is going to cost the taxpayers of Ontario?

Hon Floyd Laughren (Minister of Finance): I think that is a fair question, because it's certainly true that as a jurisdiction's credit gets downgraded there is a cost associated with that. It's not simply in dollars; it's accessibility to capital as well.

But I do believe that there are a lot of numbers being thrown around which have very little, if any, basis in fact whatsoever.

I wonder if you'd allow me, Mr Speaker, to use an example. We sold a deutsche mark bond issue yesterday; two thirds of it is sold already. In that issue, what's known as the spread is roughly a 60 to 64 point spread over federal Treasury bonds. In July, when we last did an equivalent 10-year issue, the spread was 70 points when we had a higher credit rating.

I'm not suggesting that lowering the credit rating means it's cheaper to borrow money; that's simply not the case. But here's a case in this particular issue where it's costing us less to borrow than it did on the 10-year bond issue that we sold in July. So it's impossible to pinpoint precisely what a downgrade costs, but I don't deny that a downgrade is not a good thing and, in the long run, does cost the province more money, but nobody can tell me exactly how much that is.

Mrs McLeod: Minister, I do refer you to the memo from your finance department to our committee. Minister, yesterday you also said that you were surprised at the credit downrating and you said that it was unwarranted. I have to wonder, Minister: Where's the surprise?

Surely you were not surprised that credit agencies understood why the province's revenues were down because they understood what the impact of the \$2 billion in taxes in your last budget was on this economy. Is it a surprise to you that the credit rating agencies would be concerned that your deficit is hundreds of millions of dollars more than you expected? Are you surprised that they saw through the attempts to hide the real financial picture of this province by moving debt off the books? Are you surprised that they have lost all confidence in your ability to meet your budget targets? I ask you, Minister: Where's the surprise?

Hon Mr Laughren: What the leader of the official opposition is saying is simply not correct. It is simply not correct. The loss of revenues that triggered our increase in deficit this year came from the final compilation of the 1992 income tax collection returns that the federal government passes on to us now in 1993. For the leader of the official opposition to say that the taxes in 1993 caused a drop in income tax revenues from 1992 simply makes no sense whatsoever.

The reason I was disappointed, unhappy and surprised at the downgrading by the credit rating agencies was because we have worked very, very hard on controlling our expenditures. For the first time in almost 50 years this government will spend less money this year than in the previous year. You never accomplished that and the Tories never accomplished that when they were in office.

Mrs McLeod: If I have followed the reasoning of the Minister of Finance, he seems to be saying that he really doesn't believe that increases in taxes in this province are having a negative effect on the economy, that they are putting people out of business, that they are putting people out of work, that they are affecting consumer confidence, as well as personal income tax of people who are no longer employed because there are no jobs. Surely this minister can make the relationship between tax increases and the effect on the economy, and the loss of revenue was certainly one of the reasons for that credit downgrading.

Minister, the credit downgrading simply reflects the fact that people are concerned about this province's inability to manage its finances and the effect that that has on the economy, and I do bring it back to the issue of taxes. I bring it back to the fact that we had \$3 billion in tax increases and we have seen a \$2-billion drop in revenue. I cannot believe that you are still considering bringing in new taxes.

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The Canadian Federation of Independent Business has conducted a survey and found that 20% of small businesses will be hit by the new tax on businesses that you still propose to bring in, and I say to you today that this province and this province's businesses and the people of this province who need jobs cannot afford to have this new tax.

Will you not agree to cancel your plans for this new tax on the small businesses of this province?

Hon Mr Laughren: There are a couple of points I'd like to make in response to the leader of the official opposition. First of all, the leader of the official opposition is saying that we should not have the deficit as high as it is. Secondly, we should not have raised \$2 billion in taxes this year, which means we should have cut programs and jobs by the tune of \$2 billion more. That would have cost somewhere around 40,000 to 50,000 jobs in the province.

You tell me what that does to a fragile economic recovery. You tell me how that helps us engage in an economic recovery. As a matter of fact, it would be counterproductive.

Finally, if the leader of the official opposition is suggesting that the corporate minimum tax—I think that's what she was referring to—which we are determined to introduce this session, is a tax on small business, she is dead wrong; she's absolutely dead wrong.

CANCER TREATMENT

Mr Michael D. Harris (Nipissing): My question is to the Minister of Health. Yesterday, at a task force hearing before members of this Legislature, the chairman of the Ontario Medical Association section on radiation oncology, Dr Tom McCowan, said that Ontario needs the equivalent of at least two new major cancer centres in order to keep up with demand.

Minister, you and I both know that in these tough economic times that need is going to be very difficult to meet. Just how do you intend to ensure that cancer patients in Ontario do not go without very timely treatment?

Hon Ruth Grier (Minister of Health): As I have talked about many times in this House, we all acknowledge, unfortunately, the growing need for cancer treatment, the growing need for the technologists and the physicians who are specialists who can deal with the growing rate of cancer. What that has said to our government and what we have been doing is to begin to plan for the future, because we believe that unless you do have a long-range plan and unless that plan looks not only at the treatment but also at the support systems that are required and also at what you can do to prevent cancer, then you will not be able to meet the demand.

I hope the leader of the third party recognizes that with the introduction of our anti-tobacco legislation this week we took a major step towards prevention, which is part of that overall plan.

Mr Harris: The minister talks about the growing incidence of cancer; we agree. The minister understands, I think, that with an aging population, at a time when we are solving so many other problems, cancer is significantly on the rise and, as the population ages, it is on the rise.

There has been a lack of planning, we agree with you, over the last eight and a half years, particularly in this province, to deal with this crisis. At the task force hearings yesterday, we heard that Sick Kids has the capability of performing 70 to 80 bone marrow transplants a year but it has a quota of only 48. We heard at

the task force that there is capacity for 190 a year in Ontario but only funding for 120. So at a time when we know cancer is on the increase, we see the resources for cancer on the decline.

So even with the lack of planning, which we acknowledge, over the last eight years, the capacity exists for far more than you are doing. And I would ask you again, Madam Minister, even though members of the Liberal Party and the NDP back bench don't seem to care, what are you going to do to meet this growing need and demand?

Hon Mrs Grier: I am a little confused by the question because I don't know whether the member was there at the meeting. I know some members and the Leader of the Opposition were, but from the people I've spoken to who were at this particular event, it was Princess Margaret, not Sick Kids, that was identifying some shortfalls and some needs.

But I want to say to the leader of the third party and to those people who have expressed concern that in fact, in 1990 only 138 bone marrow transplants were performed in this province and this year we anticipate that there will be 300 bone marrow transplants performed. So there has been a considerable increase, not perhaps as much as Princess Margaret would have liked, but we believe our cancer strategy has to encompass the entire province and that as we enhance the capacity in other cancer treatment centres, then people get that treatment closer to their own homes and where they need to be. But there has been a number of improvements and better instances of management and coordination that have allowed us to increase the number of bone marrow transplants that have been performed.

Mr Harris: Madam Minister, it's a big difference between what you're saying, 300, and what Don Carlow, chief executive officer, Princess Margaret Hospital, says, that it only has the funding to do 120.

Interjection.

Mr Harris: No. As the minister wishes to interject, Princess Margaret says its capacity is 70 to 80 and it is only doing 48. You see, your numbers don't add up with what the medical practitioners and the head of the hospital are telling us.

More important than that, we are all hearing stories coming from our ridings of people who are put on waiting lists. We understand how difficult and traumatic it is when one and one's family are affected by cancer and a bone marrow transplant.

I have a constituent who has been told that the optimum time for her bone marrow transplant is December and that she is delayed until January at least. What is it you would like me to tell my constituent and other constituents when there are 27 on the waiting list ahead of her? The hospital says it's going to do 48. What am I tell her as she goes home for Christmas, trying to wait, and hoping and wishing she will be bumped up ahead of the list for January when the doctor says her optimum time is December? Can you tell me what I should say to her?

Hon Mrs Grier: I hope you'll say to her that I think

all of us recognize the growing need, unfortunately, for cancer treatment; that there have been enormous strides made both in the provision of that capacity and, as well, in changes in protocol that have made shifts within the system; that we all recognize that the system is treatment and it is support systems and it is transportation and it is prevention, and that as we plan we have to look at all of that.

You can also tell those people waiting for bone marrow transplants that there have been enormous strides made in a coordination of our bone marrow transplant programs so that we have a network, and we have put a great deal of additional funding, in fact \$500,000, into the unrelated bone marrow donor registry so it can expand from 63,000 to almost 100,000, which means the matches can be made more quickly and more cost-effectively, because at this point only 26% of the matches are made in Canada and that costs us money.

As we look at all points of the system, there are no quick and easy answers to this very real tragedy, but I hope you will assure your constituents that everybody in the system, from specialists to hospitals to ministry officials, understands the problem and is working in a coordinated way to address it.

INVESTIGATION INTO POLICE SHOOTING

Mr Robert W. Runciman (Leeds-Grenville): I have a question for the Solicitor General.

Interjection.

Mr Runciman: I'm not sure the Treasurer wants to hear this.

It's 49 days since the murder of Sudbury police constable Joe MacDonald. We know that following that, an individual by the name of Clinton Suzack was charged with the murder.

The chair of the Ontario parole board, in response to the charges against Mr Suzack, who was out on release from the Ontario parole board, was quoted in the Toronto Sun as saying Mr Suzack's record was "not serious," despite the fact that he had 30 convictions related to violent crimes, had an outstanding warrant from the province of Alberta, and that they had a letter from the Sault police services board saying that Mr Suzack posed a menace to society. Mr Wadel also said—a very frightening remark—that there was nothing unusual about the decision to release Mr Suzack.

1450

In terms of my question, we know the board is making something like 3,000 parole board decisions per year, approximately 57 per week. Now that we know the results of this study, which you're not prepared to release, Mr Minister, could you indicate to the House, to the people of Ontario, to the MacDonald family and the people of Sudbury what action you're going to take in respect to the comments and the activities of Mr Wadel?

Hon David Christopherson (Solicitor General): As I said yesterday, I have received the report of the investigator, which dealt with all aspects of a particular hearing that took place by the parole board of Ontario. I have received that report. I have also received from the Attorney General's office very clear, detailed, succinct

directions that it is not appropriate for me to comment on the report or any actions or recommendations that may be contained within it.

I can say to the honourable member that the freedom of information act does provide for me to talk with proper officials about the report in terms of any appropriate action that needs to be taken. I would say as directly as I can that in having those discussions, the actions that may be appropriate, as contained in the report, I am taking. Beyond that, I am very, very reluctant, based on the advice I have received from the Attorney General's office, to talk about any aspect of this or any other particular case.

Mr Runciman: I've seen their justification for this view, and my response to that is that they have searched, desperately searched, for ways to justify non-release of this report.

We have an unprecedented statement of concern, of which I'm going to send a copy to the minister. It's from the chief of police in Sudbury, Richard Zanibbi. I'm quoting briefly: "If the government is privy to information and is withholding it until the conclusion of these murder trials, which likely will be a minimum of one year, how many other premature or questionable releases will occur in the intervening period? The government has a responsibility to the people of Ontario to address this matter immediately in the best interests and safety of all citizens."

He also goes on to comment—and I want to say that Mr Suzack was in personal contact with Mr Wadel, the chair of the parole board, and Mr Wadel, when asked this question by Alan Cairns of the Toronto Sun, denied it. Now the chief has substantiated the fact that Suzack was in personal contact. We have every reason to believe that it was a serious error made by the parole board that cost a police officer his life. In my view, this is a coverup that has to end—

The Speaker (Hon David Warner): Could the member please place a question.

Mr Runciman: —in the public interest. I ask the minister to reassess his position and release this report.

Hon Mr Christopherson: I have said from the outset of this matter that it was my intention that the report and the findings and any resulting actions would be made public. I have not deviated from that position. What I have done, as a responsible minister of the crown, given the fact that there are matters before the courts, is to send that report to the Attorney General's office, which is responsible for providing legal advice to ministers. I have received from their criminal law division very clear direction that it would be inappropriate for me to comment or for me to release the report.

Having said that, when the court proceedings are concluded, and given freedom of information considerations, it is still my intention, and I would hope of anybody else who may be in this position when that trial may conclude, that indeed that report would still be made public.

Mr Runciman: That's a crock, to say the least. It's going to be over a year before that trial occurs, and to suggest that he's going to release it—

The Speaker: The experienced and often eloquent member for Leeds-Grenville has a much larger vocabulary.

Mr Runciman: If that offends the House, I'll withdraw the offending word. But it is clear there was an error made here, a fatal error, and what this government is doing is using the alleged rights of the accused to cover up the grievous error of the parole board that resulted in the death of a police officer—nothing less.

It's completely outrageous. In my view, if they violated the terms of reference of this study in respect of this trial, white those matters out and release it to the public. We're talking about a parole board decision, nothing affecting the trial in Sudbury.

I reaffirm my view that I stated at the outset, that Wadel should be fired, and if the minister is not prepared to put the facts on the table, he should resign. He has a larger responsibility here: it's in the public interest and for community safety.

His three colleagues from the Sudbury area apparently are going to be silent on this issue. We in the Conservative Party are not going to be silent. I'm telling you that right now. We're going to press this issue. I ask the minister once again to stand up on behalf of the public, not his own political interests, and release this report.

Hon Mr Christopherson: The honourable member, regardless of the tirade, knows very well that if I were to take any action—

Mr Runciman: Baloney. Don't tell me what I already know.

The Speaker: Order. The member for Leeds-Grenville, please come to order.

Hon Mr Christopherson: —that would result in court proceedings being—

Interjection.

Mr Kimble Sutherland (Oxford): Do you want the answer, yes or no?

Mr Runciman: I don't want that kind of baloney. That's all it is.

The Speaker: The member for Leeds-Grenville, please come to order. Minister.

Hon Mr Christopherson: As I was attempting to say, if I indeed did anything, particularly with advice very clear from the Attorney General, that would have the effect of prejudicing—

Mr Runciman: It was political advice from Michael Code, and you know it.

The Speaker: Order. The member for Leeds-Grenville, please come to order.

Hon Mr Christopherson: —or affecting a matter before the court, then the honourable member across the way—

Mr Runciman: Michael Code's your hand-picked appointee. Don't give me that.

The Speaker: Would the member for Leeds-Grenville please come to order. Had the minister completed his response?

Hon Mr Christopherson: The bottom line is that if

I did anything that would affect a court case, the volume coming from across the way would be twice as loud as it is now.

ECONOMY OF NIAGARA REGION

Mrs Lyn McLeod (Leader of the Opposition): My question is to the Minister of Economic Development and Trade. In 1991 the unemployment rate in the Niagara region of this province was 11.3%. This month the unemployment rate in the Niagara region stands at over 15%. Not only is this the highest unemployment level in Ontario, it is one of the highest of any urban area in the country.

I know that the minister is fond of reciting the list of government economic programs, but I would ask the minister: If these programs are so successful, why have they not helped the unemployed people of Niagara region?

Hon Frances Lankin (Minister of Economic Development and Trade): There are programs that are at work across the province and in the Niagara area. The leader of the official opposition will know that programs—programs she doesn't support, in fact, like Jobs Ontario Training. There are brokers active in the Niagara area where those kinds of programs are making sure that people come off social assistance into opportunities to train for new employment; Jobs Ontario Homes, through which housing is being built.

The problem in the Niagara area, I will agree with the member opposite, is very, very significant and one that we need to work together with local levels of government and participants from the community economic development field in that area to try and address.

The member will know there is a task force that has been working under the auspices of the office of the regional chair with which our ministry has been cooperating. We've been looking at the decline in the manufacturing sector and how we can address some of the opportunities, having identified some of the strengths and weaknesses in that sector, to work with that community. You'll know we've done things to ensure building on a program that in fact her government introduced with the wineries, to ensure increased help in the wine industry and tourism.

There are a number of areas where we need to continue to work. I will agree with her assertion that it is a significant problem, and I think we are taking steps working with the region to try and address it.

1500

Mrs McLeod: I don't believe the people of Niagara region are going to be particularly assured by, again, a list of the programs that simply don't seem to be helping. I don't think that offers them any explanation for why the people of Niagara region should be experiencing one of the highest unemployment rates of any urban region in the country. Nor does it provide any reassurance or explanation of why over the next four months at least 1,600 more people are going to be laid off in this region of the province.

Minister, I wonder if you understand that the \$3 billion in new taxes, that the \$1 billion in new fees, that a 25%

rate increase in the Workers' Compensation Board affecting thousands of businesses in the province, are all factors that are killing jobs in the province of Ontario. When will you understand that your economic programs will never work when every other policy your government puts in place kills business and jobs in this province?

Hon Ms Lankin: Again, the leader of the official opposition states things that I believe are quite incorrect. That's very unfortunate, because I believe it misleads the public, not just in Niagara but in the entire province in terms—

Mr Murray J. Elston (Bruce): Ah, ah.

Ms Dianne Poole (Eglinton): Aren't we getting a little close?

Hon Ms Lankin: If I said that incorrectly or in a way that's offensive, what I mean to say is that I think it presents information that would lead the public to misunderstand the real situation. I don't know how to say that without offending people; I'll give my best attempt.

The leader of the official opposition, to be responsible, I believe must state the facts correctly. If you look at the competitiveness reports that have been recently released, you will in fact find that in Ontario, for the manufacturing sector, for example, which is so important to the Niagara area, the combined corporate tax levels for the manufacturing sector are now lower than in any of the Great Lakes states.

Let's get the information correct. Let's understand that. Let's look at the cost of health care and realize that we have a tremendous advantage. Let's deal with areas that are problems, like workers' compensation rates.

I'll just say with respect to the Niagara area two more things: We have continued with government relocation programs to that area, where we've cancelled them in other areas of the province, in recognition of the rates of unemployment. Lastly, this is the exact reason why cabinet has established a jobs committee to look at the regional distribution of jobs and employment programs. This is the exact thing that the official opposition makes partisan in nature. Understanding levels of unemployment and regional differences is very important in terms of distribution of government programs.

ONTARIO HOME OWNERSHIP SAVINGS PLAN

Mr W. Donald Cousens (Markham): My question is for the Minister of Finance. I'm asking this question on behalf of the thousands of new home buyers in Ontario, who have special concerns after January 1 of next year, and on behalf of our caucus and our critic for Housing, Mrs Marland, the member for Mississauga South. We are being deluged with requests for action on this issue.

December 31, 1993, marks the end of the very successful Ontario home ownership savings plan. OHOSP has given many first-time home buyers a break on the purchase of a new home. Research from the Ontario Real Estate Association indicates that since the program's creation in 1988, over 248,000 plans have been opened, and of that number, 204,000 have been closed to purchase homes. For many first-time home buyers, this home ownership program means the difference in buying and not buying a home.

There's a great concern from realtors and home buyers that you may pull the plug on this program. Minister, are you prepared to extend the deadline of the Ontario home ownership program and will you ensure that the program will continue after December 31 of this year?

Hon Floyd Laughren (Minister of Finance): The member for Markham asks a timely and appropriate question, because the OHOSP program, the Ontario home ownership savings plan program, is scheduled to die on December 31 of this year. I am looking at it quite intently these days.

The program is not without its problems, I must say. There are two components to it. One is the savings part, in which a tax credit is granted by the taxpayers of the province, and the other is a forgiveness of the land transfer tax, which is also a contribution by the taxpayers of this province. There are some problems associated with the land transfer tax component of that plan.

Having said that, though, I do think it has served a useful purpose over the years in providing some incentive for first-time home buyers to put aside money and buy their first home. At this point, I have to tell the member for Markham that no decision has been made, and what I'm doing is looking at the problems that are associated with the program before I make a final decision.

Mr Cousens: In the spirit of helping those people who are looking for assistance and support, I encourage the minister and feel there is some hope in the answer you've given, that inasmuch as you haven't made a final decision, you may well have reason to look at it.

It really is significant when you think that it costs approximately \$50 million annually with \$25 million in tax credits and another \$25 million to the province for land transfer tax refunds. Yet this cost represents but 5% of your government's annual spending on subsidized non-profit housing in Ontario.

By continuing the Ontario home ownership savings program, we're giving many individuals that first chance to buy a new home. The benefit of this program to home owners is great, and this ownership program makes or breaks the decision for many to buy.

We look at the numbers and we realize that some 48% of all home sales in the first nine months of this year were to first-time buyers. This program makes good economic sense and the benefits far outweigh the cost of the ownership program.

We genuinely ask you, Mr Minister, to look at this, and to do it in time so that we can make an announcement before we rise for the Christmas vacation. I ask you again, very sincerely, if you'll commit that you'll bring forward an announcement to this House at the very earliest opportunity.

Hon Mr Laughren: The numbers the member for Markham uses are correct. It does cost us about \$50 million a year, which is not an inconsequential amount of money. I'm sure he and his colleagues in the Tory party would agree that \$50 million cost to the taxpayers is a substantial amount of money. One does not automatically approve the continuation of a program that costs \$50 million. That is a lot of money in this province, given all

the other pressures that we have.

I know the member for Markham appreciates the importance of \$50 million. I'm sure he listens to his leader day after day talking about the need to get our expenditures down and get the deficit down. I know he would agree with me that before a program such as this is continued, we must take a very close look at it, and that's exactly what we're doing.

FINANCIAL INSTITUTIONS REFORM

Mr Pat Hayes (Essex-Kent): My question is to the Minister of Finance. In recent months, interest rates have come down to levels that some businesses would consider affordable. However, many small businesses in my riding and elsewhere in this province are having considerable difficulty obtaining operating credit from the banks.

Small businesses have to have lines of credit with banks. They have difficulty increasing their limits, with the result that they cannot expand their businesses. Although the cost of credit has come down, its availability has not improved and in some situations has become worse.

This government has made a policy commitment to help alternative financial institutions, such as the credit unions and caisses populaires, and the minister's parliamentary assistant had a task force about two years ago to make recommendations to implement a policy to help credit unions and caisses populaires to expand their lines of credit. Could the minister tell us today what policy changes concerning credit unions are being actively considered and when can we expect concrete implementation?

Hon Floyd Laughren (Minister of Finance): The member asks an important question. I must give credit to two people as we've tried to reform the caisses populaire and credit union legislation in this province, which has been outdated to say the least. Those two people are Brian Charlton, the former Minister of Financial Institutions, and the other is Steve Owens, the parliamentary assistant from Scarborough Centre, who has done a lot of work on this.

Last year Brian Charlton, who is presently Chair of Management Board, launched a major reform process on the caisses populaires and the credit unions to make them more competitive and more up to date in the changing world of financial institutions. We said then that as part of the whole financial institutions reform process, credit unions and caisses populaires would take precedence. I can tell the member that it is our intention to introduce comprehensive legislation before we adjourn for the Christmas break.

1510

Mr Hayes: I ask the minister if he could elaborate somewhat on these policies. How will they help small businesses in this province, which desperately need a line of credit to succeed?

Hon Mr Laughren: I don't disagree with the member at all. When we were doing the reform and going through the consultation process we heard that message loudly and clearly, that small business faces problems in accessing capital from the large financial institutions.

In our reforms it is our intention to expand credit union lending capacity, including the capacity to make commercial loans. We think that's going to be a major step forward. We're going to allow credit unions and their central organizations to work together to undertake lending. We're going to enable them to serve a broader membership base, which can include small businesses, I might add. Also, we're going to enable credit unions to raise capital from new sources so that they can strengthen their ability to serve the local community in which they're located.

I thank the member for the question and I can tell him that it is a very high priority with this government. We intend to move with dispatch.

STUDENT QUESTIONNAIRE

Mr Charles Beer (York North): I have a question for the Minister of Education and Training. I have sent him over a sheet, the heading of which is Youth Responds to the Royal Commission on Learning. What this deals with is that evidently in the month of January next there will be a video that is being prepared by TVO with respect to comments that secondary school students have about the education system, and on that I think no one has any disagreement.

But this letter or statement plus questionnaire has been sent to me by parents who feel that the language that is within it is in places offensive and that the subject matter in various questions deals with sexuality and pregnancy and HIV, questions that parents have a concern and interest in. It appears that this particular document was sent directly to schools or to students and that there was no parental input whatsoever. That, in the minds of those parents who have been in touch with me, is what they find most galling, and in some cases they have expressed the view that it is offensive.

Minister, are you aware of this particular questionnaire? Do you know if there was parental involvement in designing the questions? Would you not agree that without that parental involvement, indeed some of these questions could be found to be offensive to a number of parents in Ontario?

Hon David S. Cooke (Minister of Education and Training): I just saw the questionnaire and I appreciate the member's sending it to me. It's not clear to me who even put the questionnaire out, whether it was TVO. It doesn't look like it's the royal commission, because it's not on royal commission stationery. If it came from TVOntario, I would certainly encourage the member to speak directly to TVOntario. I will certainly pass his concerns on, and anyone else's concerns. But it's not something the government put out and it's really unclear who did put it out.

Mr Beer: If I might, I would say to the minister that this did come from TVOntario and that the phone number at the bottom is a number that relates to TVOntario.

My concern here is simply this: At a very difficult time, when parents are trying to deal with their sons and daughters around difficult issues of moral values, which certainly these address, and around issues of language, I think that where we are dealing with a government

agency or board or commission that is carrying out this work, there is a responsibility on government to make sure we are sensitive to the concerns of parents who, I think the minister would agree, would find some of this, the substantive questions that are being asked, difficult for them to understand when they see that as being primarily a parental responsibility.

I would ask the minister simply this: Would you not agree that where government or government agencies are doing this, we do have a responsibility to make sure that we understand parental concerns? Especially given your creation of the parent council and your concern that parents be involved, would you not speak with your colleagues and with government boards and agencies, that when this sort of thing is being done, there must in fact be a sensitivity to parents and parents' involvement in the education of their young people?

Hon Mr Cooke: Everybody agrees that there has to be sensitivity. I will pass on the member's concerns and any concerns I might have to the proper authorities at TVOntario.

I think the member will also totally agree that he would not want this government or any other government to give direct instructions to TVOntario. That question has been debated in this place many times. It's not a propaganda agency for this government or any other government, and therefore has to be treated with a great deal of sensitivity.

I will take your comments and make sure that they're brought to the officials at TVO.

TENANT PROTECTION

Mrs Margaret Marland (Mississauga South): My question is for the Minister of Housing. This week the minister showed the sleazy tactics to which the NDP government will resort in order to pass a very unpopular piece of legislation. I refer of course to the decision to lump Bill 90 in with the long-awaited legislation to regulate private retirement and rest homes.

Mr Anthony Perruzza (Downsview): Is "sleazy" an appropriate word? Margaret, I thought you were—

The Speaker (Hon David Warner): The member for Downsview, come to order.

Mrs Marland: There are sound reasons why most municipalities and thousands of property owners oppose as-of-right basement apartments. Such valid concerns as absentee landlords, overcrowding, parking shortages, inadequate infrastructure and property tax hikes must be addressed.

Minister, you are putting thousands and thousands of people who oppose Bill 90 in the position of also having to oppose changes to prevent the abuse of vulnerable people in some unregulated homes. My question to you is, since this is not fair, will you split Bill 120 into two separate bills, as it should be, and let everyone deal with these two unrelated matters individually?

Hon Evelyn Gigantes (Minister of Housing): The answer simply is no. They are not unrelated matters. Both elements of the legislation deal with providing regular protections afforded to all tenants of this province, except for these two categories of residents, to residents of care

home residences and also people who are living in apartments in houses, which are currently illegal only by reason of the fact that there are bylaws against the zoning.

Mr David Johnson (Don Mills): Minister, you must realize that there is overwhelming opposition to this legislation from municipalities, from ratepayer organizations, opposition based on the concern that you will be unilaterally, without public hearing, rezoning all single-family homes to duplexes in the province of Ontario.

I have concerns from AMO. I have concerns from municipalities such as Mississauga. Let me tell you what these concerns are about. The concerns are that you are running roughshod over the municipal planning process in Ontario. You have denied sufficient powers of entry to the municipalities to deal with the problems they're going to face. You have forced more people onto the municipalities at a time when you have also cut the grants to those municipalities. This is downloading.

The Speaker: Could the member place a question, please.

Mr David Johnson: The question is, the municipalities are asking you to consult with them. Will you at least talk to the municipalities and will you divide this legislation in two so that you can have meaningful discussion with the municipalities about the apartments-in-houses legislation?

Hon Ms Gigantes: The measures in the new legislation which I tabled on Tuesday are going to be the same measures which were introduced in the form of Bill 90 over a year ago. Since Bill 90 was first brought before the Legislature and opened for public consultation, I personally and the Minister of Municipal Affairs and other members of our government have had numerous discussions with council members from all regions of Ontario on the issues involved.

1520

I think there's a good deal of misunderstanding about what the provisions of this legislation will do in terms of the municipalities. We certainly have provided increased powers for municipal inspection, and indeed municipalities are interested to learn that if an apartment is placed in a home, meets health and safety standards and becomes part of a revenue generation process for that property, it does mean that the municipality will have access to increased assessment.

HATS FOR HUNTERS

Mr Donald Abel (Wentworth North): My question is for the Minister of Natural Resources. Last Tuesday during members' statements it was brought to our attention that your ministry's hide-collection hats—this bright orange hat that I have here—were purchased outside of this province.

There's no question in my mind that this hide-collection hat program is a good practice, and I'm sure it's one that's supported by all members of this Legislature. However, the negative comments brought forth on this program cause a certain level of concern. I'm sure there are hundreds of people in this province, including myself, who would like to know the answers to the questions that

were raised last Tuesday.

What I want to know is, why were these hats purchased outside of Ontario and how does this create jobs for Ontario?

Hon Howard Hampton (Minister of Natural Resources): The member raises a good question. Traditionally in Ontario the Ministry of Natural Resources acted as the agent for those hunters who had harvested a moose or deer and who wished to make the hide available to artists and artisans. They would bring the hides to the MNR office, MNR would collect them and then forward them to native artists and artists generally across the province who might like to work with leather.

However, this past year we decided that we would no longer do that. The hide collection program has been taken over by the Union of Ontario Indians, and the Union of Ontario Indians now make the decisions as to where they will purchase the hats and what they will do. This is not an MNR program at this time and has not been during the last year.

Mr Abel: If what you say is true, I'd like to know if this would be good for Ontario in the long run.

Laughter.

Hon Mr Hampton: Obviously the Liberal Party does not think that aboriginal enterprise, that enterprise by Indian people, is a serious matter. In fact this is a real business opportunity for Indian people in Ontario. It's a real opportunity for them to take part in what is a very important natural resource for them, and the Ministry of Natural Resources is saving some operating funds on a year-over-year basis, so we think it is a win-win situation.

The Union of Ontario Indians is aware of the sensitivity regarding the manufacture of the hats outside of Canada, and hopefully in the years to follow will be able to act to rectify that.

PHOTO-RADAR

Mr Sean G. Conway (Renfrew North): My question is to the Minister of Transportation and it concerns photo-radar. Yesterday we had the benefit of the stinging critique of the province's privacy commissioner about the several inadequacies and several deficiencies in your photo-radar legislation. Today we're reminded in the press about concerns that the car rental industry has in this province and country about the nightmarish consequences of Bill 47, the photo-radar legislation.

On behalf of the thousands of people who derive their economic activity and their employment from the Canadian car rental business, what can you say that you will do to address the very legitimate concerns that the Ontario section and the Canadian portion of the car rental industry have about your photo-radar legislation?

Hon Gilles Pouliot (Minister of Transportation): I have in my hand a letter dated November 24, 1993. The member so rightly, so correctly, referred to parts of the letter yesterday. It is signed by Mr Tom Wright, who is the commissioner.

Sins of omission. I will complete what the member did not choose to say and I quote from that letter: "As legislators, I fully recognize that it is your role to balance

the competing interests involved in these amendments and to make a decision which, in your view, is in the public interest."

This is really the focus. This is the crux of the matter. This is exactly what we intend to do, strike a balance and make sure that the rights of individuals are protected at the same time. It's a delicate balance. We are ready for the task. It's called the art of the possible and we shall endeavour to do so.

The Speaker (Hon David Warner): The time for oral questions has expired.

Ms Dianne Poole (Eglinton): Mr Speaker, on a point of order: It is incumbent on us as legislators to make sure that the record is correct. There are two items of incorrect information today. I was part of the Liberal task force at Princess Margaret Hospital. Princess Margaret said there are 120 total—

The Speaker: No, no, no. Would the member take her seat. She will know that a member may rise to correct her or his own record, not someone else's. Motions?

Mr James J. Bradley (St Catharines): Mr Speaker, on a point of order: Perhaps you could help me with this. I didn't hear the leader of the Progressive Conservative Party identify the task force as the Liberal task force on cancer care. Perhaps you could hear better from where you were and were able to identify it as that.

The Speaker: I try to hear every syllable which is uttered in here. I cannot assist the member.

PETITIONS

SEXUAL ORIENTATION

Mr Ron Eddy (Brant-Haldimand): I have a petition addressed to the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Bill 55 will make it illegal, with fines up to \$50,000, for people to make any public statement, written or oral, which ridicules, demeans or discriminates against a person on the grounds of sexual orientation, still unidentified. This is a grave threat to free speech in a democratic society.

"Bill 55 is also an attack on freedom of religion against historical Christianity, which does not condone homosexuality.

"We want to maintain our basic right to disagree with homosexuality, which in no way should be equated with hatred.

"We have moved away from a position in which some homosexuals and other special-interest groups are no longer content to express their ideas, but are demanding that contrary views be suppressed with stiff penalties.

"At the same time, these special-interest groups will be allowed to teach their controversial alternative lifestyles to youngsters in a classroom, thereby proselytizing children with their viewpoints without allowing for differing opinions."

It's signed by 36 residents of my constituency.

RETAIL SALES TAX

Mr Jim Wilson (Simcoe West): I have a petition

addressed to the Parliament of Ontario which reads as follows:

"Whereas the government of Ontario has proposed in its spring budget of 1993 to impose a tax on beer produced by the general public for their own consumption at brew-on-premises facilities in the province of Ontario,

"We, the undersigned, will not accept an attempt to tax our own labour and efforts to make our beer and wine at brew-on-premises facilities for our own consumption.

"Further, we feel this attempt is shortsighted and extremely counterproductive. The Ontario government has bowed to pressure from the multinational brewing interests to level the playing field, and in doing so has failed to understand the brew-on-premise industry and the devastating results of this regressive tax.

"Attempts to further tax our own beer and wine will cause business failures and loss of jobs resulting in revenue loss to local and provincial governments. The brew-on-premises facilities we support contribute to our local and provincial economies and represent the true entrepreneurial spirit which will drive our economic growth in the future."

That's signed by a number of constituents from my riding of Simcoe West, and I want to thank Mr David Scott and Mr Mark Boem, the proprietors of Mountain Brew in Collingwood, for their efforts in bringing this issue to my attention. I hope that the government acts on their concerns.

1530

ASSISTIVE DEVICES

Ms Christel Haeck (St Catharines-Brock): I'm presenting a petition signed by 55 people from my own riding, but many others from the Niagara Peninsula are represented on this petition. The petition states:

"We, the undersigned, support the Niagara Amputee Association in their cause against the impending changes to the assistive devices program funded by the Ministry of Health."

I am affixing my signature.

TAXATION

Mr James J. Bradley (St Catharines): I have a petition from a number of people who are concerned about provincial policy.

"To the Legislative Assembly:

"We, the undersigned, petition the government of Ontario that,

"Whereas the government of Ontario has introduced over \$3 billion in new taxes; and

"Whereas the government has continued to mismanage the economy; and

"Whereas new taxes will only further hurt businesses in Ontario,

"The government of Ontario should cancel any new tax initiatives and place more emphasis on reducing wasteful spending."

I have affixed my signature to this particular petition.

PICKERING AIRPORT LAND

Mr Larry O'Connor (Durham-York): I've got a

petition here to the Legislature of Ontario.

"Whereas the federal government intends to dispose of surplus lands in the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government's sale plan,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources in the community and the residents there."

I've signed my name to this petition in full support and appreciate all those who are acting on this.

SEXUAL ORIENTATION

Mr Ron Eddy (Brant-Haldimand): I have a petition to the Legislative Assembly of Ontario.

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Bill 45 will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex.' This will redefine the family as we know it. We believe that there is an enormous negative impact on our society, both morally and economically over the long term, if fundamental institutions such as marriage are redefined to accommodate homosexual special interest groups.

"We believe in freedom from discrimination which is enjoyed by everyone by law now, but since the words 'sexual orientation' have not been defined in the Ontario Human Rights Code, which might include sado-masochism, paedophilia, bestiality etc, and since sexual orientation is elevated to the same level as morally neutral characteristics of race, religion, age, sex, we believe that all such references should be removed from the code."

It is signed by 33 residents of my constituency.

PICKERING AIRPORT LAND

Mr Jim Wiseman (Durham West): "To the Legislature of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government's sale plan,

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents there."

This has been signed by people from Scarborough, Don Mills and other parts: Agincourt and Toronto. This adds to the list of almost 250 people who have signed

asking the federal government for justice for the people of North Pickering. Thank you. I have affixed my signature.

SEXUAL ORIENTATION

Mr Ron Eddy (Brant-Haldimand): I have a petition to the Legislative Assembly of Ontario.

"We, the undersigned citizens of Ontario, who live in your riding"—that's Brant-Haldimand—"and attend local churches, ask that you would convey to the Premier of Ontario, the Attorney General of the province of Ontario and the Chair of the standing committee on the administration of justice our concern with the legislation known as Bills 45 and 55.

"We are concerned with the change in the Human Rights Code to prohibit discrimination on the basis of sexual orientation and with the deletion of the words 'of the opposite sex' from the definition of 'marital status.'

"We are also concerned that Bill 55 could prohibit our freedom to talk about our views on homosexuality and legitimizes a particular conviction and silences debate concerning sexual orientation with criminal consequences for such debate. We believe that these bills make the government more intrusive than is justifiable in a free and democratic society.

"We appreciate your vote against Bill 45 on second reading."

That's signed by 44 constituents from the Dunnville area and is in addition to the petition submitted by 93 residents of the same riding presented earlier. Thank you.

PICKERING AIRPORT LAND

Mr Larry O'Connor (Durham-York): I've got a petition here to the Legislature of Ontario.

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government sale plan,

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rich rural resources and the community of residents there."

I have signed this petition in full support. I am pleased that there's action taking place and I'm going to be meeting with some of these residents tomorrow.

Mr Jim Wiseman (Durham West): This petition is to the Legislature of Ontario and it is signed by over 30 people, all from the same street in Scarborough, in support of the North Pickering residents who now face eviction even as we stand, given that this whole process begins on December 1 and that the new federal government must take a look at this, if it's going to help these people.

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government sale plan"—the process ticks down on December 1—

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents there."

This petition is signed by many, many families from Rochman Boulevard in Scarborough: the Taylors, the McShanes—

Interjection.

Mr Wiseman: It's a little difficult, but it will work—McClellands, Moores, Traceys, Carpenters, Finlaysons—I can't read that at all.

The point is that one street finds out about this. They're outraged and they sign the petitions willingly. I also affix my signature and hope that the new government will find its feet on this issue very quickly and help these residents achieve some justice and equity.

1540

INTRODUCTION OF BILLS

CONSTRUCTION WORKFORCE MANAGEMENT ACT, 1993

LOI DE 1993 SUR LA GESTION DE LA MAIN-D'OEUVRE DE LA CONSTRUCTION

On motion by Mr Mackenzie, the following bill was given first reading:

Bill 123, An Act respecting the Construction Industry Workforce / Projet de loi 123, Loi concernant la main-d'oeuvre de l'industrie de la construction.

Hon Bob Mackenzie (Minister of Labour): Just very briefly, the bill deals with the issue of labour mobility and whether or not Ontario construction workers should have the same rights as Quebec construction workers in projects in this province or in the province of Quebec.

EDUCATION AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT LA LOI SUR L'ÉDUCATION

On motion by Mr Allen, on behalf of Mr Cooke, the following bill was introduced for first reading:

Bill 125, An Act to amend the Education Act / Projet de loi 125, Loi modifiant la Loi sur l'éducation.

Hon Richard Allen (Minister without Portfolio in Economic Development and Trade): On behalf of the minister, I'm pleased to introduce this bill, the Education Amendment Act, 1993. The amendments being introduced today respond to concerns raised by parents and the public and are aimed at improving the functioning of the education system.

The act will give statutory recognition to the Ontario Parent Council. Recognizing the council in legislation confirms the government's commitment to receiving continuing advice from parents in provincial education policy.

The Education Amendment Act also permits a reduction in the number of trustees to be elected to school

boards. Trustees elected by an electoral group for a school board will be permitted, by a majority vote of their members, to decide to reduce the total number of trustees to be elected by the electoral group. This amendment recognizes the discussions by the public and some larger school boards on the possibility of reducing the number of trustees on a board.

The act also deals with two amendments relating to French-language education issues. The first will continue existing authority to establish French-language school boards. If not continued, this power expires on December 31, 1993. The second French-language education amendment deals with establishing French-language sections between elections.

The minister looks forward to hearing comments from the House on these amendments and invites all members to join with the government in support of this legislation.

Mr Murray J. Elston (Bruce): Madam Speaker, I would like to introduce a bill today. It's ultimately the combination of work of an intern, Emma Waverman, who served in my office a year ago, and also of Norie Campbell, who is actually in the gallery this afternoon and who also worked on this legislation.

WATER EXTRACTION AGREEMENTS ACT, 1993

LOI DE 1993 SUR LES ENTENTES PORTANT SUR L'EXTRACTION D'EAU

On motion by Mr Elston, the following bill was given first reading:

Bill 126, An Act respecting Water Extraction Agreements / Projet de loi 126, Loi concernant les ententes portant sur l'extraction d'eau.

Mr Murray J. Elston (Bruce): The bill actually deals with requiring agreements to be reached between the proponents of taking water at certain sites in municipalities with the host municipality. The requirement first is that there be a certificate to take water issued by the Ministry of Environment and Energy and that these agreements are a precedent to taking any water out of the local areas.

There are problems in very many parts of the province with people who take water and have a very temporary presence in the various communities. It's particularly a problem in my riding, but it is not restricted to my riding, and this should help local municipalities deal with the cost of infrastructure and other requirements that are necessary to support the commercial activities around water extraction.

ORDERS OF THE DAY

TIME ALLOCATION

Mr Charlton moved government notice of motion number 17:

That, pursuant to standing order 46 and notwithstanding any other standing order in relation to Bill 80, An Act to amend the Labour Relations Act, the standing committee on resources development shall be authorized to meet beyond its normal adjournment time on its regularly scheduled meeting days for the purpose of conducting public hearings, each presentation to the committee during public hearings on the bill shall be limited to 20 minutes;

That the committee shall complete clause-by-clause consideration of the bill on Monday, December 6, 1993. All proposed amendments must be filed with the clerk of the committee prior to 12 noon on the abovenoted day. At 5 pm on that same day, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee shall interrupt the proceedings and shall, without further amendment or debate, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. Any divisions required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 128(a);

That the committee be authorized to continue to meet beyond its normal adjournment if necessary until consideration of clause-by-clause has been completed. The committee shall report the bill to the House on the first available day following completion of clause-by-clause consideration that reports from committees may be received. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to be reported to and received by the House;

That upon receiving the report of the standing committee on resources development, the Speaker shall put the question for adoption of the report forthwith, which question shall be decided without debate or amendment, and at such time the bill shall be ordered for third reading.

That two hours be allotted to the third reading stage of the bill. At the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment.

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes and no deferral of any division pursuant to standing order 28(g) shall be permitted.

Hon Brian A. Charlton (Government House Leader): This motion—

Mr Murray J. Elston (Bruce): And now you'd like to explain why you're closing down democracy.

Hon Mr Charlton: No, I'm attempting here to ensure that democracy happens.

Mr Elston: By limiting debate: your style.

Hon Mr Charlton: This time allocation motion is a motion that again I move here today to deal with an obvious divergence of opinion about whether this bill is important enough (a) to hear all of the deputants on—

Mr Steven W. Mahoney (Mississauga West): On a point of order: I think the House leaders agreed that we're splitting this time equally between the three caucuses without two-minute responses, and I think it's necessary for you to say that for the clerk to record it as such. Is it?

The Acting Speaker (Ms Margaret H. Harrington): I will ask the minister. Government House leader, would you like to address that?

Hon Mr Charlton: We are splitting the time, but it's

my understanding that's the normal procedure unless we—no? All right, fair enough. We have an agreement to split the time and that the vote will occur at 6 o'clock.

The Acting Speaker: Could I ask for unanimous consent? Agreed.

1550

Hon Mr Charlton: I sort of lost my train of thought, but I think I was discussing the fact that we have an obvious divergence of opinion on this bill, both about whether this bill is important enough to sit some extra hours to hear all of the deputants who may want to make presentation or representation on this bill, and I guess also a divergence of opinion about whether this bill is important enough to those affected to be passed before we leave here for our Christmas break for the end of the fall session.

That's a fair divergence of opinion and it's a fair debate to have. But at the end of the day, after extensive months and months and months of consultation that the Ministry of Labour and the Minister of Labour have had on this issue, it's our view that, on the one hand, the bill is important enough to hear from all of the deputants, all of those who wish to make representations on this piece of legislation, and, on the other hand, that the legislation is important enough to pass before we leave here this fall.

I've structured here today this time allocation motion, which will allow the committee some extended hearings rather than to just dump this matter out into infinity over the course of another three or four months in committee before we come back next spring to deal with the final passage of this legislation; to allow extended sittings in the committee so that the deputants, those who wish to make representations both for and against this piece of legislation, will have the opportunity to do so before the standing committee on resources development; and then to bring the process to an end and to ensure that this legislation is put in place before we leave here this Christmas.

I think it's fair for those who oppose the bill to take the position that this motion will limit discussion. On the other hand, it is true that this bill has been out in the public domain for over a year now and there has been extensive discussion on all sides of the issues around this bill for I think about 15 or 16 months now since its introduction here in the Legislature. We can have that debate about whether this time allocation motion at this time in fact limits democracy, but it's our view in the government that it's time this legislation was in place; and that for those who find the provisions of this legislation necessary to protect their role as local unions and the membership in those local unions, that that protection become an effective reality for them in as short a time as we can deliver that.

The Acting Speaker: Further debate, the member for Brampton North.

Mr Robert V. Callahan (Brampton South): Brampton South, Madam Speaker. I keep getting moved to the north. It's cold enough in the south.

I find it interesting. I've been in this Legislature almost nine years coming up in May, and I'm not about to

announce my retirement, but I do believe that when the New Democratic Party was over on this side in opposition it didn't have the same degree of thought in how we should get things done quickly. In fact, I can recall all sorts of tricks being used. They had a filibuster—

Mrs Ellen MacKinnon (Lambton): We were good teachers.

Mr Callahan: You certainly were. And then when you get into government, you suddenly change all the principles and everything's got to be done tout de suite and the hell with democracy. Hearing from the public no longer is important; it's an irritant.

I note that the Minister of Labour is not here to hear these comments.

Mr Randy R. Hope (Chatham-Kent): I'm taking notes for him.

Mr Callahan: I see, okay. He's interested in getting this bill through quickly. I think the people of this province elected us and paid us to give deep and careful consideration to each and every piece of legislation that comes through this House. They didn't ask us to rush things through. They didn't ask us to try to get things done so we could get out of here.

We are employed by the public, we are public servants; therefore, rules that have been brought in by this government in terms of limiting debate really are doing a disservice to the taxpayer indirectly, because the taxpayers' representative, who has been given a sacred trust to come down here, is not given full opportunity to debate the merits of each piece of legislation.

We've already seen with this legislation, in some of the small debate that's taken place, there have been some reconsiderations by the government.

At a time when, in my riding—and I'm sure my riding mirrors ridings throughout this province—people are losing their homes, are losing their jobs, are searching for jobs, are desperate, the government should really be addressing the issue of how we get these people back to work. How do we improve the economy? How do we create an atmosphere where investment will be attracted and will prosper?

Instead of doing that, we endlessly see matters such as Bill 80 coming to the attention of this House. Bill 80: At a time when 25% of the construction industry employees are out of work, we're tinkering with a piece of legislation that I would suggest is going to do nothing but cause unrest among the international unions and the local unions. It's also going to create a scenario where disputes will be settled by the Ontario Labour Relations Board. The Ontario Labour Relations Board has enough to do. You don't want to back it up to Lake Ontario, like you've done with the Human Rights Commission and with several other administrative and quasi-judicial bodies that are supposed to serve the needs of Ontarians, by putting too much emphasis on regulation.

Surely, the unions up to this point have been able to settle their own disputes and have been able to deal with the issues themselves. Why do they need the intervention of government?

However, going back to the issue at hand, the question

of the time allocation motion, which, for the purposes of those people who may have just tuned in or may be watching the Parliament or the Legislature for the first time, a time allocation motion is really the government saying, "Opposition, you've got so much time to debate this, and at the point in time that we have decided you're not to go beyond, the vote will be called."

I think any fairminded person who's watching this debate in the Legislature would say to themselves: "That doesn't seem right. That seems to be terribly unfair. That means that my member, whom I've sent to Queen's Park to stand up for me in the Legislature, is in fact being told that he or she does not have any more time than the big, big government decides they can have."

I thought that type of conduct went out with communism disappearing in eastern Europe. I thought it went out with totalitarianism. I thought democracy stood for the right to have freedom of speech, which has been preserved over the years by people giving their lives and spilling their blood in order to ensure that we have that freedom.

Yet this government has, for the fourth time since we have returned, which was a very brief time ago, invoked what in effect is closure. It's not called closure, but it is closure. It's an execution move that in fact says that the members of this Legislature cannot speak beyond what the government wants them to speak.

If I were sitting out there as a elector and my member of the Legislature was down here and that type of conduct was being either countenanced, as is the case with government members, or being imposed upon the member in the opposition that I had elected, I would be quite unhappy. In fact, I would be unhappy to the extent that I would feel democracy no longer reigned free and clear in this province; that in fact this government, with its large majority, is attempting to crush any opportunity to debate bills.

1600

I suggest to the Legislature that if there's one significant hallmark of a democratic society and of a Legislature or Parliament, it's the right to speak. We are given a privilege to speak in this House where we can say anything—hopefully, we use it responsibly—and we cannot be sued for what we say if it turns out that it's not true. That's a privilege. That privilege was given to us so that we could have freedom of debate in this House and express our views in a free and open fashion.

What good is that right if the government of the day is able to invoke time allocation, or closure, and has done it four times? That's unprecedented, I would think. I don't think any government, the Conservative government, our government, ever invoked that type of operation. I can remember when we were in government that the discussions would be long about the issue of whether we should invoke time allocation. I think to the letter, every member of the caucus, we said: "No, we don't agree with that. That's not democratic."

I can remember times that we sat here and the opposition of the day, the New Democratic Party in opposition, and the Conservative Party, used to bring in some of the

wildest tricks to avoid having to debate the bill, to avoid having to have the bill brought in so that we could get on with the business of the day, and they thought it was just marvellous. They get over on that side and suddenly they have decided that the opportunities to speak are not important any more, that the important issue is that we get our business done and get out of here so we can go and relax, that the Legislature can be adjourned and they can go back to their ridings.

Hopefully, when they go back to their ridings, they'll have to account to the people in their ridings as to why they stood as co-conspirators with the government in terms of supporting four time allocation motions.

Before we leave this chamber for the Christmas break, I suspect this government will probably hit an all-time high. They will go down in the Guinness Book of Records, if there is one for political moves, in terms of the number of times they've done it, because I suspect this fourth opportunity to bring in time allocation will be doubled before we leave here. I think there will be four more time allocation motions brought in, because that's the way the New Democratic Party government does it. "If you don't agree with us, hit the road."

We've seen that demonstrated within their own party. We've seen members like Mr Hansen—I don't have his riding available—being taken out of the position of his Chairman's job because he spoke out against his government. He had the audacity to speak out against his government on an issue which was important to him, because he comes from a riding, I believe, where the tobacco bill is important. In any event, perhaps I've got the issue wrong, but whatever the issue was, he was standing up for the people in his community, and as a result of speaking out against this government, he lost his Chairman's job.

We had several other instances of that, of ministers who have been removed from their portfolios because they disagreed with the government. That is something that I'm sure any fairminded person out there who has elected members of the Legislature can understand. That is not the way you work, not the way you operate.

Are not this time allocation motion and these changes of the rules to allow this government to impose its will on the opposition just an extension of that unfair practice of not allowing people to speak, to effectively represent the people who have elected them to the Legislature? If there's one purpose of being down here, and particularly for people who come long distances and perhaps live far from their homes, where they can't go home every night—I would say that if they're not exercising the right to speak and are not agreeing and fighting for the right of the opposition and every member of this Legislature to speak freely on behalf of their constituents, then they're doing a disservice to their constituents. They are breaching the public trust that they were given when they were elected to the office of the Legislature of Ontario.

It's bothersome. It's troubling. It certainly gives me a bad feeling every time I see a time allocation motion being moved by this government, and particularly, as I've said, and I don't want to repeat myself, with the number of times they have done it. It seems almost as though:

"We'll give you one chance around the chamber. That's it. Then you're cut off. Then we want to call the vote. We want to get on with the business."

I can agree that governments should not be harassed, should not be delayed, that they should be able to order the public business and get on with the public business, but that's not what's happening here.

We're seeing this almost becoming an epidemic arrangement whereby the government imposes its will on the members of the opposition whose sworn duty is to ensure that bills are given full and fair consideration to ensure that those bills are the best possible bills that can encompass the policy that has been put forward by the government.

We're not for one minute saying that the government cannot govern. We're not for one minute saying that the government cannot bring forth policy, because that's its job. We may not agree with their policy, but we want to make certain that the policy they bring forward is going to be engendered in the legislation in such a way that it will be clear so that it can be interpreted by a judge or an administrative tribunal. We want to make certain the rights of individuals that are to be protected under that legislation are going to be effectively protected.

When we do things in haste as human beings and when we're forced, with our backs against the wall, to consider bills or to debate bills or to attempt to understand them and to get the message across, or to hear from the public for that matter, it becomes very much more difficult to do that when you have these types of application of time allocation. It's like anything else that human beings do: If you do it in a rush and in haste, you usually wind up with an imperfect product.

I wanted to involve myself in this debate to specifically deal with the question of time allocation. I find it odious. I find it to be a deviation from what I consider to be just and right, and I wish to thank the House for listening while I participated in this matter.

Mrs Elizabeth Witmer (Waterloo North): I'd like to speak to the resolution that was put forward by Mr Charlton today regarding the time allocation. I'm extremely disappointed that this time allocation has come forward today, a time allocation that is going to see presentations limited to 20 minutes. I think that time is most unfair.

We have indicated to the speakers in the past two weeks that they will have 30 minutes, and they have had 30 minutes to make their presentations. We had indicated to speakers for the next two weeks that they would also have 30 minutes, and for us to arbitrarily—I shouldn't say us, but for the government to arbitrarily now decide that the remaining speakers only have 20 whereas the original first two weeks of speakers had 30, I think certainly is most unfair, for the government to be changing the rules midway through the debate and discussion.

I'm concerned as well because what I see happening here is what happened when the bill was originally introduced. We heard from hundreds and hundreds of people throughout the province that there had been absolutely no consultation prior to the introduction of Bill

80. The only individuals the Minister of Labour had consulted with prior to the introduction of Bill 80 were those very few individuals who were in favour of Bill 80, but he had not bothered to have any discussion or give any warning whatsoever to the almost 85% or more of those individuals who are opposed to Bill 80.

I believe what's going to happen here now is that it's going to be: "Hurry up, folks. Yes, we will listen to you, but do you know what? We're not going to listen to what you're actually saying. We're not going to incorporate any of the changes into the amendments that we're bringing forward." The whole thing is just a sham. The entire thing is just a farce. That's the way and that's the manner in which this bill was introduced.

There was no serious debate. There was no serious consultation. Never did the minister bring both sides together and determine how the issue could be resolved. He arbitrarily brought in legislation which was going to appease a very small group of dissidents.

1610

I am surprised this government is not going to remove entirely Bill 80 from the legislative agenda. The minister must be aware of the widespread opposition to this legislation, because we have received numerous written, verbal, faxed and oral representations regarding this on a daily basis from hundreds of people, yet we are going ahead with Bill 80, which as far as most of the people in this province are concerned is a bill which meets only the personal agenda of the Minister of Labour.

There has never been any demonstrated need for this legislation. Indeed, we are hearing that on a daily basis: Why Bill 80? The minister has never, ever been able to provide a very thorough answer, or any answer whatsoever, other than to say there have been some problems. I would suggest to you that what we have here is an attempt by a minister to pay back a debt to a chosen few in this province. We have a bill here that is the personal agenda of the minister.

I just want to say at this particular point that I can give assurance to the union people who are going to be impacted by this legislation that if our party had been in power, we would never, ever have introduced a bill such as Bill 80, which is going to interfere in the internal affairs of unions in this province. I say, "Shame," to the minister. In fact, I am going to have something further to say on that issue just a little later.

We would have provided them with the opportunity in the construction industry to proceed along the path that they are proceeding, because there has been tremendous stability in this province. Unfortunately, there is an indication that Bill 80, which is for a select few, and I stress a select few, will and can contribute to chaos.

I am surprised that the Minister of Labour or this government would even suggest going ahead with this bill if we take a look at what happened yesterday. We had people banging, trying to get in the Legislature because of the social contract process. Here we have a process which really has been as unfair as the social contract process, a process which has not involved all of the players.

Why is this government so determined to antagonize union members throughout this province, especially when a majority of the people in this province who are going to be impacted are opposed to this legislation? They are not acting in the best interests of the people in this province. This bill does not address the best interests of the people in this province. It will only contribute to further chaos, such as the chaos we saw yesterday outside this House. It will contribute to further uncertainty, and that is a situation we are going to be facing. I would suggest to this government that it needs to focus on jobs and not job destruction, as it presently is.

I want to read to you from some of the people who have spoken against this legislation.

I want to read first from a letter I received from the International Brotherhood of Electrical Workers, from Tom Keagan, the assistant business manager, Local 804, where he says:

"The chaos, bitterness and hate that will result from this bill will run deep and remain long after the NDP labour government ceases to be the government of this province. It is sad that the legacy of the province's first labour government will be that it helped decimate the building trades labour movement in this province."

That's what people are saying about this bill.

I read to you a letter from Jerry Wilson, the president of the Waterloo, Wellington, Dufferin and Grey Building and Construction Trades Council in Kitchener, and it reads:

"Your explanation of the bill and the reasoning for its introduction is just not correct. Local unions or their elected officials in Ontario are not being dictated to, pressured or interfered with by their international parent union in any way whatsoever.

"We strongly urge withdrawal of Bill 80 and urge you to initiate" further "consultation. This bill in its present form is destructive."

I read now from a Bill 80 discussion paper, a brief that was presented by the Canadian Federation of Labour, Ontario Council, November 1992. It says here:

"In his statement to the Legislature, Labour minister Bob Mackenzie correctly indicated that Ontario is no stranger to legislative intervention in this industry. What he neglected to mention is that Bill 80, far from being in the tradition of promoting stability, threatens to dismantle the real accomplishments of the previous amendments. Fragmentation, rivalry and loss of business confidence are the likely fruits of this latest initiative."

I go on to read from the Sheet Metal Workers' International Association. This letter is from Dennis Males, the international representative. He indicates here:

"Why then would your government, Mr Premier, ignore their wishes to maintain the conditions that they"—meaning the construction industry—"fought for for over 100 years? We, the construction trades in Ontario, have shown our democracy by waiting to see the delegates' wishes expressed in the open and for all to see, yet it seems you are determined to listen to the backroom dissidents and others that seem to have gotten your ear. They are in the vast minority."

I read here from Larry O'Neill, also the Sheet Metal Workers' International Association, who says, and he supports what I said originally:

"Not enough consultation before Bill 80 was introduced, and the overwhelming support opposing Bill 80 at this convention proved that Mr Mackenzie was right. He told us that we need a stronger labour movement and a strong united construction building trades movement. In my opinion, Bill 80 will divide the construction building trades. We need laws that reflect the needs of workers in Ontario, and this is not one. I don't feel that you should let this small group of people divide us and destroy what has taken over 100 years to achieve.

"Bill 80: I feel that it is full of misconceptions and untruths."

Here's a letter from William Nicholls to the Premier. He is with the International Brotherhood of Painters and Allied Trades, Ontario Provincial Council, and he writes:

"Mr Premier, in closing I wish to reiterate Bill 80 is not legislation for the betterment of the unionized construction worker in Ontario, but will only damage in essence what harmony exists today. It is not only appalling with the disregard of a consultation process prior to the Bill 80 first reading, but more damaging is a government getting into the constitutions of our organizations by way of legislation. This issue continues to split and create turmoil within the labour union movement. If the best interest of the construction worker is to be exercised," then he goes ahead and asks that the minister truly listen to all the parties concerned.

I would suggest to him that's not going to happen. I don't think the legislation we have before us is going to change in any significant way. We've never seen this type of change yet from this government. We waste a lot of time sitting in committee, pretending that we are listening to people. We, as opposition, in the Conservative Party introduce our amendments, as do our colleagues in the Liberal Party, yet we just don't see our amendments adopted.

I read here from Ken Woods. He talks about the "clandestine manner in which the NDP have introduced Bill 80" and the "devastating and destabilizing effect that legislation, if passed, will have on the construction industry in this province."

1620

I just want to quote further from Mr Woods, because he certainly has made an excellent representation. He wrote me a letter on October 5, 1993, indicating that he's glad that someone is listening to the full argument on Bill 80 and that we are "not content to react to the rantings of a few dissidents, who obviously are crosswise with their own international union, can't effect changes within their organization, and would place the burden of fixing their alleged mistreatment in the hands of the OLRB."

He says: "Bill 80 perplexes our entire membership; we cannot fathom why the workers in one sector of the economy are being singled out for the discriminatory action envisaged by Bill 80.

"If passed into law, Bill 80 would in effect override the building trades constitutions, remove all stability from

the construction industry, and place the burden of sorting out matters previously taken care of by the application of those constitutions in the hands of the OLRB."

He goes on to say: "Therein lies one of our many concerns regarding Bill 80. What prompts a government to take such a totalitarian stance against one segment of the trade union movement? How many building trades local unions have had their jurisdictions altered, changed or removed in an arbitrary manner in the past five years, 10 years, 20 years, for that matter? What wrongs is the proposed Bill 80 attempting to right? Where are the examples?"

"Quite frankly, Mr Chairman and members, we suggest the minister has not been given examples or substantive proof to warrant such a draconian intrusion into the democratically formed constitutions of the building trades unions."

These are the comments and he goes on to say, "Upon questioning, the minister has failed, and failed miserably, to provide the anti-Bill 80 side concrete examples of such alleged abuses." He's referring to the abuses of trustee-ships, supervision or interference with local unions.

This is where I want to quote from the law, because in my introduction I talked about the government meddling in the internal affairs of unions. I indicated that that was certainly not something that the Progressive Conservative Party would ever do.

I want to take a look again at the submission that was made by Mr Woods, the international vice-president of the International Brotherhood of Electrical Workers. He sent us a copy of a Supreme Court of Ontario decision relative to the application of some dissident members of the IBEW against disciplinary action taken as the result of a decision rendered by the IBEW Canadian vice-president as the result of charges preferred against certain officers of a local union by other officers of the same local. I ask you to listen.

"In refusing the application to issue an injunction against the decision of the vice-president, Mr Justice Reid said at page 2: 'Courts as a rule refrain from interfering in the affairs of unions, or for that matter, of other organizations where an appeal or equivalent alternative remedy exists.'"

He goes on to say at page 6: "It is now accepted by courts, particularly those called upon to exercise a supervisory role, that in general the internal problems of unions should be settled internally. If the courts were too ready to intervene in the internal affairs of unions, they would, in my opinion, demonstrate an inappropriate disrespect for the union movement and all that it has achieved."

"If the courts are reluctant to interfere in a union's internal affairs," if they indicate that this would show an inappropriate disrespect for the union movement and all that it has achieved, why does this government want to get involved? Why do they want to become Big Brother and dictate what goes on within the internal affairs of unions? I think that is a very important statement, because the government seems to be quite willing to tread where the courts refuse to go.

I conclude from Mr Woods's presentation when he says, "Bill 80 is the most ill-conceived, biased, unworkable, totalitarian attack on the trade union movement ever brought forward in the free world. We hope we have convinced you that Bill 80 has no place in a democratic society."

I hope that the NDP government, which has always professed to be the brothers and sisters of the union movement, has carefully taken a look at the information, the presentations that have been made by unions and members throughout this province, because a vast majority of them, at least 85% or more, are totally, totally opposed to Bill 80 and all that it wishes to do. I would suggest to this government, if it hasn't listened, that it does listen.

I can indicate to you that I have letters here with more mention as to why the government should not proceed. I have here a letter from the International Brotherhood of Painters and Allied Trades, Ontario Provincial Council. It's from William Nicholls and it's to the Premier and he says here, "Most importantly," and he refers to this bill, "labour-management relations will not be as they are known today, but creating an open battlefield towards a labour relations nightmare." He mentions that at the October 24, 1992, Provincial Building and Construction Trades convention in Kingston the delegates from the convention supported the resolution to oppose Bill 80.

I have a letter here from W.T. Densmore from the International Association of Bridge, Structural and Ornamental Iron Workers, who is opposed to Bill 80 and who has written me on October 22 asking if he could please appear before the committee. Unfortunately, now this individual and his group will not have 30 minutes to make their presentation. They will be denied equal time, the 30 minutes that the individuals last week had. Although I hope that we will accommodate this group, they will only have 20 minutes to make their presentations.

I had a request here that came, written on November 19, that indicates that they want to appear before the committee. This is from Local 700 of the International Association of Bridge, Structural and Ornamental Iron Workers. They are also opposed to the legislation.

I would suggest there are people in this province who just now have learned that the government and the minister are intent to push this legislation through, not concerned whatsoever about the impact of the legislation, the possibility that it can create chaos, the fact that it will interfere in the internal matters of unions. They are just now asking if they cannot please make submissions.

I would suggest that this government should have continued with the committee after the new year in January and February. This is an important piece of legislation. It is important that all presenters have at least 30 minutes to make their case. In fairness, that is what they should have been entitled to.

Now we see this government suddenly introducing a time allocation motion and saying: "You know what? We really don't care. We didn't care when we introduced Bill 80. We didn't consult with both sides, and we're simply going to go ahead with the bill as it is. Whether or not

we listen any more, it will have no impact whatsoever on the eventual outcome, and we're not going to make any changes at all."

1630

Here's a letter from Mr James Phair, the general vice-president, International Association of Bridge, Structural and Ornamental Ironworkers, and he says:

"If Bill 80 becomes law in its present form you will virtually render the internationals ineffective if in fact an illegal strike were ever to occur. Without stable bargaining structures, the construction industry as we know it today, the stability we know today, will be set back 20 years. The industry will once again be in utter chaos. The resulting instability will not help produce one union job for our members. It will, however, produce an opening for the so-called merit shop."

I have a letter from the Ontario Allied Construction Trades Council, John Marchildon, indicating unconditional opposition to Bill 80 in its entirety.

Of course, I have a letter here from Joseph Maloney, the assistant to the executive secretary, the Building and Construction Trades Department, AFL-CIO, who again goes on record as indicating that there has been inadequate consultation and that they are opposed to the legislation. Again, they are concerned about the chaos that can result from the legislation.

Here is a letter from Mr Robert Belleville, director of Canadian affairs, Sheet Metal Workers International Association, Orleans, Ontario. He says: "I cannot and will not agree with the direction Mr Ward is attempting to lead your government. This international association has served our Ontario local unions well for over 100 years. We in this province have been allowed to govern our own affairs free from abuse and intimidation from our parent international. Make no mistake about this."

The final letter I will read is from Jerry Wilson, International Brotherhood of Electrical Workers, November 4, 1993. He writes to Bob Rae: "It puzzles me why such anti-labour legislation would have such a high priority when your government has so many other more important challenges to deal with." That's the note I would like to end on.

This government is pursuing its own personal agenda, the agenda of the Minister of Labour, and that is to push through Bill 80. They don't care that the majority of people, 85% at least, are opposed to the legislation. They just listen to the special interest groups, as they do on so many other occasions. I don't know why you wish to antagonize the union members throughout this province.

I would support the last presentation and ask you, when there are so many challenges in this province, especially the challenge of job creation, why would you focus your attention, your time, my attention, my time, the time and the energy of people across this province, on an issue that deals only with interference in the internal workings of unions in this province and which is not going to make the lives of the people in this province any better by its passage? In fact, it will contribute, as many have said, to chaos.

The Acting Speaker: Further debate?

Mr Mike Cooper (Kitchener-Wilmot): What we'll be doing is starting off with a bit of background, and then I think we'll be doing probably a challenge to the previous speaker because of what's been going on.

First of all, the minister has stated quite openly that when he was in opposition as a critic, for 12 years he's heard from the construction industry about some of the problems that have been out there.

On June 25, 1992, Bill 80 was introduced as a compendium to Bill 40 to try to bring greater fairness to the workplace here in the province of Ontario.

On October 4, 1993, we had second reading, and at that time the minister tabled some proposed revisions. Attached to that was the idea that we would eliminate the section on successorship, and since that time we've had greater support for Bill 80.

Part of the committee hearing process is that we went into the subcommittee and agreed to public hearings, and what we did was agree to hear as many people as possible. On our schedule, as we sit right now, we have 37 groups scheduled and we have something like 15 presenters on a waiting list that we've agreed to.

I must say that most of the people on the list who are opposed to Bill 80 are paid by the parent international union, and the presenters who are in support of Bill 80 are the elected officials from the locals. So the locals are coming out now and saying they're fully in support. One of the groups who presented yesterday in committee, the sheet metal workers, when they originally had their vote it was something like 7 to 3 opposed to Bill 80, and since we've dropped the successorship they've taken it to vote and it's now 10 locals to 1.

Mr Mahoney: It was 7 to 4.

Mr Cooper: It was 7 to 4 originally? My apologies. Thank you. It's now 10 locals to 1 in support of Bill 80.

Since we've tabled Bill 80, there are a lot more people coming out in support of Bill 80. What happened was, because of the setup of the construction industry, there were a lot of locals that were afraid that if they came out publicly in support that unilaterally the international would step in and take over trusteeship of the union. We have had several presentations of exactly these things happening. As the member for Waterloo North states, the presenters have come in and talked about chaos in the industry. I think the chaos that would happen would be coming about if we didn't proceed with Bill 80.

Our idea is to get it through committee as soon as possible and get it so that it's legislation so that these construction workers can get back to work and do what they're paid to do rather than having the internal fighting.

As for a lot of the comments about government interference, I might remind the members that on February 2, 1983, the not quite then former Premier of the province of Ontario, David Peterson, tabled an amendment to the Ontario Labour Relations Act which had to do with trusteeship. So even in 1983 there were indications that there were problems in the construction industry.

Also, when you talk about government interference, there are a lot of things that the government has done in the past, and it wasn't through this union, where they've

talked about province-wide bargaining and accreditation. These were former Tory and Liberal governments that did this. That wasn't called interference at that time; it was just fixing problems that were out there.

One of the allegations from the member for Waterloo North was from Ken Woods, who was one of our presenters. In a presentation yesterday in committee from the International Brotherhood of Electrical Workers, Local 353, it stated:

"There have been allegations made before this committee by our international vice-president, Ken Woods, which cannot go unanswered.

"Let's be specific, the Greenbelt gas pumping station. IVP Woods sent me a letter dated December 5, 1988, in which he refers to problems on the job site and he informed our local that the job site was under international supervision and that his representative Mackenzie had been assigned to ensure that the supervision was carried out. This was the first time that Local 353 had received any correspondence from the international office or had any discussion whatsoever with the international office concerning the job site.

"In August 1988, the Toronto United Association Local 46 pipefitters lost their jurisdiction over this job site to the UA Kitchener local. The contractor...is based in the Kitchener area and wanted to use their employees from Kitchener to work on this project. The project was primarily pipefitters' work, and because of this, Local 353 members did not arrive on the site until September 1988. Yet in his letter to the international president, he implies that Local 353 electricians have caused the project to be three months behind schedule. We had not even been on the job site for three months, yet we were to blame.

"The supervision on the job site was so incompetent that they were not using proper explosionproof fittings...." All right. Let's get to the heart of it here.

"The contractor wanted to use his employees from Kitchener to do the work which rightfully belongs to our members. The ICI provincial construction agreement protects the work in a local union's jurisdiction by only allowing an electrical contractor to bring in one worker from another local and all the other workers must be hired from the home local union, in this case, Local 353.

"At this point, I want to bring to your attention that international vice-president Woods, international representative Mackenzie and company representative Eric Hardman are all members of Local union 804, Kitchener, which benefited by taking the work away from Local 353. Further, the owner of Nicholls Radtke, Bill Nicholls, is also from Kitchener area.

1640

"We were astounded and insulted to find out from international vice-president Woods' presentation before this committee that the basis for his actions were as a result of Mackenzie's report dated December 3, 1988, and a weekend conversation with the owner Bill Nicholls. You will note that Mackenzie's report is based on allegations contained in an alleged daily journal that was kept by the company representative, Eric Hardman....

"Neither the members on the job site nor the elected officers of local union 353 were ever given the opportunity to respond to these allegations before the international vice-president took the job site away from our members."

When you look at some of the presentations, I regret that the member for Waterloo North wasn't in committee yesterday. I'm sure she had other, more pressing matters. But the presenters who came in yesterday almost all unanimously spoke in favour of Bill 80.

One thing I might mention is some of the things that we've been doing in committee. When we were first approached to go into committee, Mr Joe Maloney, assistant to the executive secretary of the Canadian Building and Construction Trades Department, had been lobbying almost every member he could get in to see against Bill 80. We agreed that being as he had done so much work, we would give him the opportunity. Being as he had proposed revisions of his own to Bill 80, we would allow him an hour presentation. The government agreed to do this because he had done so much work and we thought it would be a good foundation leading into the committee hearings to hear, in general, what the construction trades unions that were opposed to Bill 80 had to say. So we allowed them the hour.

Some of the other things that have been going on: I know yesterday we had three internationals and the Sheet Metal Workers come together and give a joint presentation. When you talk about us cutting it down from 30 minutes to 20 minutes, I know we've talked to a number of the people who have been sitting in the committee waiting for their turn to present. We've asked them if they can make joint presentations, because a lot of times they're just reiterating what the other local unions are saying. If they combined their time and got 40 minutes, they would have plenty of time to do the presentation and allow time for questions and answers from each of the opposition and government members.

We've done everything to try and facilitate the process in the committee. The thing is that everybody has been saying, whether it be the employers, the people who are paid by the international unions or the people who are in support of Bill 80, that the best thing to do is either get this bill passed or take it right off the table.

When we're talking about the bill, basically what we're doing is talking about shared bargaining rights. In most cases, the local unions and the international parents are sharing the bargaining rights, but in the constitution there is sometimes written that the international union has exclusive bargaining rights.

What we're saying here is that rather than unilateral contracts being imposed on local unions, as has been done in the past in some cases—very few cases, but there have been some cases—they get shared bargaining rights so that the local union does have some input on its contracts.

The next one is the alteration of local jurisdiction. As we've seen, there have been trusteeships imposed on locals without them having any say, and it's usually for pretty flimsy excuses. A lot of times it's been said that dissidents are in support of Bill 80. The reason they get the name "dissident" is usually because they've come out

against the international trade union parent because of something that's been affected in their local unions. So they want a greater share. They're just looking for fairness here.

The other one is on the benefit plans. I think everybody can agree—and the New Democrats especially have fought long and hard—that anybody who has benefit plans should be having joint trusteeship over those plans. All we're saying is that Ontario construction unions should have joint trusteeship and should have equal representation on these.

When we're talking about the legislation, all we're doing is talking about balance and fairness. We're not talking about upsetting the balance out in the construction industry, saying that the local union has so much more power. All we're saying is that we have to have just cause. I don't think anybody can argue against just cause, and that's what the construction trades have been coming in and saying. They just want that before an international parent can come in and unilaterally do something that affects their local jurisdiction, it would have to show just cause.

I think that on fairness this bill is adequate in addressing a lot of the concerns. I know once we dropped the successorship section, a lot more people have come out and endorsed Bill 80. I know that at the last conference the member for Waterloo North was talking about, when they held the vote and they voted against Bill 80, they were still voting on the fact that they were talking about the original Bill 80, not the proposed revised bill that the minister has already stated at second reading time.

I think that we've done fairness. We've been fair in committee hearings. The point is that we should get this out of committee and back into the House and get it passed for third reading so that in the construction trades there won't be this big separation between the local unions and the international parent.

The Acting Speaker: Thank you. Further debate, the member for Mississauga West.

Interjection: Oh, oh.

Mr Mahoney: Oh, oh is right.

Applause.

Mr Mahoney: Thank you very much, my fan from Mississauga.

I guess there are a number of things I want to touch on today. The first thing I want to do, though, is say to you and to the people in the construction industry that I really think this is kind of a sad day, that we have to debate what in effect is closure.

I know there's a difference between time allocation and closure but ultimately, as we head towards the countdown towards the end of this session, we've got another time allocation motion—we call them time allocation motions du jour—the fourth one in the last six sessional days, which clearly shows that the government House leader is unable to work with the ministers to get the agenda moving forward and to work with the House leaders on this side. The only way this government is able to get legislation through is by ramming it all down our throats.

I have done a little bit of research, and just to give you an example, people should understand that time allocation follows on the heels of the rule changes that the House leader and others brought into this place that have reduced the opportunity for the opposition to question bills, to deal with issues and to really perform what is its right and its obligation as Her Majesty's loyal opposition.

Since this government has come to power, in 1991 we had two filed time allocation motions, one on Bill 4 and rent control and the other on Bill 143, two very difficult bills, I might add, bills that a lot of people had concerns about throughout the province, issues that municipalities were concerned about, that housing advocate groups were concerned about, and this government just simply decided to bring in time allocation. They'd heard enough, they didn't care if there was any more objection to the bill. They wanted to shut it down.

That was the inauguration of time allocation, and the government took to it a little bit like a duck to water. They seemed to find that: "Boy, this is fun. We can actually shut these guys up through time allocation." I guess it took them a year or so to kind of get their feet on the ground. They were dealing with a lot of scandals and internal problems. But once they got the good ship NDP going down the waterway, they decided, "Now we can get down to doing things our way," and that's what we're facing.

We had two in 1991. In 1992, they rolled up their sleeves with Bill 40, the most contentious piece of labour legislation in the history of this province. With people outraged, with billboard campaigns going on around the province, with the business community in fear for its future, with investment drying up, what did they do? Time allocation. "We've heard enough," said the Minister of Labour in the government. "We don't want to hear any more. We're going to simply close down the opposition."

Then we had Bill 150, labour-sponsored venture capital, venture capital money for new projects as long as it's endorsed by your local union—interesting stuff—time allocation one more time. Then we had this one and it is a beauty. This is the latest tactic of the NDP government. It's called omnibus legislation, where they bring a whole pile of supposedly related bills and put them all under one bill.

We had time allocation on a bill called the Advocacy Act, Bills 74, 108, 109 and 110, all of them once again dealing with issues that were very important to people out there: important to the disabled, important to the terminally ill, important to the legal community, important to the health care sector. But they had heard enough. This government decided, in its rewriting of democratic principles, that it had heard enough and it was simply going to file another time allocation, the third one of that session, followed by Bill 121, another rent control bill.

By the way, the rent control bills that were time-allocated were also retroactive. To help with that, what this means is that the minute they are passed at third reading and the minute the Lieutenant Governor gives assent, they become law back to the day they were introduced. I do not understand, when retroactivity is a part of the legislation, why this government feels it's

necessary to cut off debate.

1650

They know they have a majority. We know they have a majority. We know at the end of the day that unless we in the opposition and the public that are opposed to a piece of legislation are successful in getting it through their heads that we need changes to a bill, they're going to win the day. Why not at least allow the democratic process to take place? Where does this government get off redefining everything that goes on in Parliament?

Madam Speaker, this is supposed to be a hallowed institution dedicated to democratic principles and free speech. While we in opposition can basically get up with impunity and immunity and say almost what we want, as long as it doesn't offend you and the rules of parliamentary process, the same cannot be said for people outside of this place; the same cannot be said for the public in general. We are their custodians. We're only here for a short time, even those of us who have served in this place for 10, 15, 20 years. In the overall perspective of democracy, that's a short time. We are here to defend the rights of minority groups, of dissidents.

Let me tell you, I hear people coming before committees objecting to being called dissidents. A dissident, according to the Shorter Oxford English Dictionary, stems from "disagreement." A dissident is someone "disagreeing in opinion, character; at variance, different. One who disagrees." I don't understand why they object to that. I consider myself a dissident when it comes to this legislation. According to this definition in the dictionary, I am very much a dissident and a strong dissident, against this government. I don't find that offensive.

Mr Hope: I see you have a dictionary.

Mr Mahoney: I take some pride in the fact that I can disagree with the member opposite and with the minister and play the role of dissident, notwithstanding the fact that the government has a hammer that it continues to bring down on our heads every time it gets into a situation where there's an outcry from the public, every time it gets into a situation where the dissidents dare raise their heads, where the dissidents in this province dare say to the Minister of Labour: "We think you're wrong, sir. We think you're intruding into an area where you do not belong."

When the dissidents dare say that, what do you do? Time allocation. This minister's not the only one. The Health minister has done it.

Mr Hope: Remember that quote.

Mr Mahoney: The rent regulations: the Housing minister—I know you're looking forward to the day when I'm sitting over there, I say to the member. You'll love to wrap that quote up if you're here, which I doubt, and throw it back at me, and I will certainly look forward to that day happening. I happen to feel there's a pretty good chance of that, but you never know, because the reality is, in this democracy, as I said, we all live on borrowed time in here, and so it should be.

We have an obligation, we have a responsibility, to ensure that people have their say and to stop governing

by decree and governing by force.

The rent regulation bill, Bill 121 in 1992, is another example where the government was fed up. They didn't want to hear from landlords any more; there was enough of that. "These guys have had their say." They had a problem identified in Toronto and they decided to bring in some legislation for the province of Toronto so they could solve the problem for everybody. But they didn't want to hear from the dissidents, so they shut it down.

Madam Speaker, this is a list. You can see that in 1991 there were two; it doubled to four in 1992. Let's talk about 1993: Bill 100, Bill 8, Bills 80, 47, 48, and 164. We have six now. We're going up in increments. You've got another year to go. Next year, if this pattern holds true, there will be eight bills. Why don't you just tell them what they are right now, tell us what they are, and do it? Why are you wasting our time?

In 1993, regulated health professions, Bill 100. Bill 8, casinos. Imagine. Imagine shutting down debate on a bill that will change the landscape and the future and the morality and the direction and everything about this province without allowing full debate on it. Imagine that.

I know why they had to do it. To get the thing through, they had to expropriate a bunch of land from some people, so they had to give the local municipality in Windsor the authority to strip people of their property rights. They had to do it there on a deadline. That is really democratic, that is really fair, by a government that—boy, oh boy, I'd like to see this House leader and this Labour minister on this side if our government ever tried to do something like that: the howls, the outrage.

The minister's laughing. You have to agree it would be something to watch opposition leader Bob Rae leading the charge up University Avenue, placard in hand, drummer beside him, demanding David Peterson's resignation. Whoa. The sanctimonious approach would be just unfathomable. It would be entertaining. Instead of having the labour unions climbing over the barricades calling for your heads, you'd have them all behind you saying, "You're right, boy. We believe in you, Bob," and you'd be charging this place. It would be just quite remarkable.

Bill 80, the one we're debating today, is another one. Photo-radar, another one: time allocation. They've heard enough.

We know they're short of cash. We know the credit rating has just been downgraded one more time, the third time since they've been in office. We know that the bond rating agencies have come out and said, "We recognize there's a recession, but this government and this Finance minister have done nothing to get their act together." We know that.

They need cash, so they bring in photo-radar. They wrap it up in a safety package and tell us all that it's going to save all our lives and everything's wonderful. "We don't really care about the money. It's a secondary issue. By the way, we're going to invoke time allocation. We're going to shut down debate."

People from all over the province want to talk about this because while it might not affect them on Highway

16 in Ottawa right now, it sure as heck will in a matter of a couple of months. I say to the member from Ottawa, tell your people, get those governors on the cars, because Big Brother is coming to Ottawa. Big Brother is coming to a place near you, Madam Speaker.

They bring in time allocation because they need the money and they don't want to hear the objections any more.

The social contract? The social contract is probably the classic. For a New Democratic Party to introduce a—never mind the fact that it was necessary to get some government constraint into the picture. That is a given. For this party to destroy collective bargaining rights is really remarkable. If opposition leader Rae and the gaggle of caucus members would have been outraged over gambling casinos, imagine the cry at any attempt to take away, well, to take away what is clearly a God-given right—if not government-given, a society-given right—of collective bargaining in the labour movement.

You wonder why the labour movements out there are confused. They've got Gerard and some of those people walking out of the convention down the street because they're tired of this. They don't know what to do any more. "Why is Bob doing this to us? Why is he continuing to undermine the significance and the relevance of the labour movement in the province of Ontario?" They're confused.

You've driven a wedge right down the centre of the public sector unions and the private sector unions. In fact, what you'll be heading towards will be two separate organizations. Unions that are funded by people who work in the public sector will have their own federation of labour, and unions in the private sector will have one separate. If that's what you wanted, you're succeeding. If that's what you wanted—I see the member going, yes. If that's what you wanted, it's working.

1700

Look what you're doing in Bill 80. You're interfering in democratic trade unionism. Why don't you just bring in a bill that says the OFL must split down the middle? Why don't you get Gord Wilson in here and say, "Gordie, we want to separate the public sector tax-funded unions"—where any employee who works for the taxpayer gets one set of rules—"from the private sector"?

You don't mind interfering in constitutions in the construction trade labour movement. Why don't you have the guts to stand up and tell guys like Leo Gerard and Buzz Hargrove, some of those former supporters, financially, anyway—why don't you have the courage to stand up and tell them that what you really want to do is redraw the map of trade labour support? I don't know why. I don't know what the agenda is yet, but it will come to me, and it will come to them. The message is clear, if that's what you want to do.

The social contract was done through time allocation: "We don't want to hear any more. We have heard enough. We've heard enough from the unions." We had them up here—remember, Madam Speaker?—yelling, calling the Premier a traitor. Do you remember that? I remember that. It was a tragic day, actually, for any

Premier, I don't care what party; to have people who were formerly not only your stalwarts but the people who put you in office sitting in the gallery calling you traitors must have been a difficult day for members of the NDP caucus. But I tell you, it's only the first of many, because they will not forget.

They're confused now; they don't know where to go. I admit that. The rank and file do. You see, where I think you make your mistake, whether it's Bill 80 or any bill, is that the rank and file in the construction industry are concerned about one thing and one thing only: their jobs. I don't see anything in Bill 80 or any of the labour bills you've introduced that secures a job for one worker in the province of Ontario, not one.

When I went out of here last night—every dog has his day, and yesterday we had the group into the committee that was in support of Bill 80. It was nice, finally, to see them. I don't know why they've been hiding. They tell me there's fear of retribution and all of this stuff.

Mr Hope: They're dissidents.

Mr Mahoney: They are. They're dissidents because they disagree. I don't think there's anything wrong with being a dissident. They are dissidents. Mind you, I find that some of the objections are quite remarkable.

George Ward went on and on in his presentation about some guy flying his girlfriend all over Europe and using the union jet and all of this stuff. Those kinds of things nobody condones, if indeed that's going on. But I understand that the Department of Justice in the United States is investigating that. Hopefully, if all those allegations—Mr Ward put them in the form of being facts. I hope, for George's sake, that he hasn't put himself—he doesn't enjoy the immunity that we enjoy. I hope he didn't put himself in a position of being charged with libel. I really do; that would be unfortunate. He put out very, very strong allegations: misappropriation of funds, some \$800 million from the pension fund. If all of that is true, I assume the Department of Justice will get to the bottom of it.

This Minister of Labour will remember Harold Banks well. I remember the probe that run him out of this country; I remember it well. There were all kinds of allegations that proved to be correct. There was a corrupt union leader. To suggest that there are no corrupt union leaders in any scene, be it a national, be it a local, be it an international, would be naïve. But to suggest that we need to bring in legislation that throws their constitution out the door, I don't understand that. I don't understand where any government feels—

Mr Hope: Allow dissidents to speak up.

Mr Mahoney: Well, dissidents can speak up. They have been. They spoke up at the committee. You heard George. He put it forward. Interesting.

There are all kinds of opportunities in this great country. I would support and stand here and say to the members in Local 30 who are here and say to the members and all the sheet metal people who are in support of this and say to the minister that I would object strongly right alongside him about anybody, be it an international vice-president or be it a local bargaining agent—

anybody—misappropriating funds, using a constitution to be heavy-handed against union members. I would object to that. But there are ways to resolve those problems.

When it comes to misappropriation of funds, we took care of Harold Banks in this country, without a doubt. There are ways to deal with that without bringing in labour legislation and taking all of this time getting people all upset. I had calls today from Calgary upset about what's going on in this government. It is not necessary.

I had a young man yesterday, I started to tell you—I went out of here—

By the way, before I leave this, Bill 164, auto insurance, also time allocation. Since the government came in, we've got 12 bills where time allocation has been filed in three years. We've had closure: none in 1991; in 1992 there were four motions of closure, two of which were successful, two of which the Speaker rejected and showed good judgement in allowing the debate to continue; and in 1993 we had two more motions of closure, one of which was successful and one of which was rejected.

It's become a tool of the norm for the NDP government and this House leader to say, "We're going to listen to you for so long and then to heck with you."

Why did I even bother to attend the subcommittee of the resources committee to discuss scheduling deputations? I agreed. We had over 50 people, groups on both sides of the issue, who wanted to come and talk to the committee. We sat in the subcommittee and said, in full agreement with members of the NDP caucus—the Conservative critic was there, I was there, and we agreed we would hear all of these people, that we would give them 30 minutes, and I said I would agree to any of them combining their presentations in an attempt to shorten the list, but not forcing them to do that, that it should be voluntary. That was agreed to. Why did you bother agreeing?

I've got to tell you, some of the time allocation bills you brought in I must admit I wasn't overly surprised at. I was really surprised and disappointed when I came out of committee last night to walk into my office, because I couldn't make the House leaders meeting, to see sitting on my desk, Mr Speaker, a time allocation motion for Bill 80.

Mr Charles Harnick (Willowdale): Mr Speaker was sitting on your desk?

Mr Mahoney: Mr Speaker wasn't sitting on my desk. The time allocation motion was sitting on my desk. I was shocked. I really was, I say to the House leader. I couldn't believe it. I thought we had an understanding that this bill—and I understand that this bill is also retroactive. I stand to be corrected but it was said in committee yesterday. I note the minister is verifying that. It was said in committee yesterday. If indeed it is retroactive, what is the problem?

You're going to win. The dissidents know that. You're going to win. Why do you have to humiliate them? Why do you have to say to them: "We don't care what you're going to say. We've heard it all before."

I said to the Minister of Labour, he better go find Joe

Duffy. You know where Joe is right now? He's on the ceiling somewhere, he is so upset. You're going to have to scrape him off. Joe Duffy's an NDPer. He's a supporter of the NDP. He can't believe it. He's a long-time friend, I think, of the Labour minister. He had enough trouble believing you would actually bring in Bill 80; he is just astounded that you would shut it down before he's even had a chance to say anything in committee. He just doesn't understand what has happened to the democratic principles in this government and in this party.

There's no reason for you to do this. You could have gone through the balance of this session, had the hearings and allowed the people to have their say. You could have at least made them feel that they were part of the democratic process. You could have done it and you could have brought it back in the next session. You could have had some debate in here and it would have carried. You've got the votes. I don't think you're planning an election in January. Tell me, please, that you are, but I don't think so. I don't understand why it is. It doesn't make any sense.

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If the Minister of Labour has some obligation to somebody in the labour movement that he made a deal with years ago when he was the critic for the NDP in opposition, I understand that. But surely to goodness you didn't put a time restriction of December 6 on that obligation. Surely to goodness, if that person was on the other side of this issue, he wouldn't want you shutting him down. Surely to goodness, whoever it is you owe this debt to is a democrat and he would understand that due process and democratic rights have to be respected.

They would understand if you said to them: "The committee is meeting and hearing from deputations. There's over 50 of them approved and there's 12 or 14 of them on a waiting list. We want to let them have their say and we want to let them have their day in the sun. We might bring in some amendments."

The minister knows that Joe Maloney and his people put forward some very reasoned amendments. The parliamentary assistant said they were going to consider them. I really hope they do. I don't even know if there's time to do that. Is there time to do that and debate those amendments? Is there time to answer questions? If the staff and the ministry have questions about the amendments, is there time to do that?

We're here on November 25. We're talking about this bill coming into this place for a vote by December 6, failing which it will be deemed to have been reported to this place and it'll be all over. This is just unbelievable. It's not a money bill. You don't need it like you need photo-radar to solve your financial woes. This is a bill, for better or for worse, that interferes in union democracy.

You could take an argument, I grant you, on either side of that issue. I respect the people who came before the committee yesterday and had very strong differences with things I have said in this place and with the position I've taken as the Labour critic for the Liberal Party. I respect their right to do that. I would never shut them down and stop them from having their day even though

they managed, and the Chair allowed every one of them to continue their deputation to the point where there was no time left for questions, no opportunities for me to ask questions, to make statements, to rebut, to do anything.

I was shut down yesterday. I can live with that because I knew I would have an opportunity to express my concerns today and I know I will always, regardless of this government, have the opportunity, in the real world, to express my concerns and my objections to the measures that this government has put in place that totally defy democratic reason and principle.

Mr Alvin Curling (Scarborough North): They call it democracy.

Mr Mahoney: Well, they don't understand it any more. There isn't time, unfortunately. Again one of the changes they made is to limit time on debates. This is going to carry. This is done. It's retroactive. I would like to have gone into some discussion.

I do want to touch on one thing. The member for Kitchener-Wilmot, the parliamentary assistant, made reference to David Peterson's private member's bill in 1983. If David Peterson, as a member of the opposition in 1983, had a problem in his riding and decided to respond to it by introducing a private member's bill, that is clearly the free and democratic process that he had a right to follow. I also enjoy those same privileges and I don't have to agree with him in 1983 or in 1993. But he has a right to do that and I would stand up and defend that right till the day I die, as would David. So don't throw that in my face, because what his problems were in 1983 were his problems and we have ours today.

In the 10 seconds left, I just want to say to those people in support of this bill that I wish you well, because I fear for the future and the ability of this government to make changes in the future through regulations, through other legislation. This indeed could be the thin edge of the wedge that destroys democratic principles in the labour movement.

Mr Norman W. Sterling (Carleton): I have not entered into the debate with regard to these closure motions prior to today and only do so very, very briefly, because my colleague from Willowdale also wants to make a few remarks in a few moments.

I want to say that I'm intrigued somewhat by this motion. I'm also somewhat reflective of why this is happening in the Ontario Legislature today. I was trying to look at it in a more global sense or in a larger sense than just dealing with Bill 80, because it's my feeling that over the past, I don't know, maybe five years, eight years, our committees have become unmanageable. Our legislative process seems to be becoming more unmanageable as we go along.

Therefore, the government House leader is trying a new technique. He's trying a new strategy in dealing with a number of government bills. I must say I don't blame him totally in terms of doing that, because he's got a certain amount of government business he's got to get through. You have to stop somewhere along the line and deal with the business, have your votes and be done with it. That's got to happen.

One of the problems I see however, Mr Speaker, is that in some ways governments, and I'm not just particularly referring to this government, have followed in this tradition. Committees, which you as Speaker now do not have the pleasure or the burden of attending from time to time, have in my view, in dealing with bills, become somewhat irrelevant. That has evolved from the practice of ministers not ingratiating themselves with attendance at committee hearings.

It doesn't matter which bill I might have been talking about over the last eight years, under the NDP government or the Liberal government, I get the distinct feeling, when I walk into a committee and I hear some person or group that has put a brief together, that it's really falling on deaf ears. We're just going through a process of allowing people to say that they were before the committee, that they complained and that nothing happened.

The problem here is that ministers are not attending the committees. So you have people who put themselves out, come to the committee, carefully put a brief together, and it doesn't fall on the ears of the person who has the power to make the changes in the committee structure, which is really what the committee hearings are supposed to be all about, the public hearings. You're supposed to come in and be able to influence the minister and make some amendments, or influence him to make some amendments.

The flip side for the ministers has been that as the committee process and as our participatory democratic system has built up, more and more groups have come in and spouted or espoused or said the same thing.

I've got to tell you, Mr Speaker, that I really do wish this government had brought in a closure motion on Bill 40. Bill 40 was the other labour law which this government brought forward, I believe a year and a half ago. I was an unfortunate member of the committee which heard public briefs on that.

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I understand why the minister of the day wasn't attending those committee hearings, because we were hearing essentially the same brief from one local union to another local union or local group as we travelled across this province. It was so bad that we would have the exact same wording from one city to the other city. You'd have a local that would come in, read off this brief, no matter how accurate or inaccurate or whatever. Quite frankly, I found it an insult to my intelligence. I found it an insult to the committee that people would organize themselves in such a fashion to dun the committee with the same stuff from city to city, from group to group. You weren't really hearing new information, so it makes it kind of boring for the members. I understand why the ministers would find it boring as well.

The whole system seems to have broken down, and I'm not sure that the consultation process is real any more. I think that we as legislators should seek another kind of committee process so that we can hear people who really have something valid to say to a committee.

That may require discipline on the part of all members,

both in opposition and in government, to meet, to discuss who has something to say, perhaps to require written briefs before somebody comes before the committee. Maybe it should also require that a minister is required to come in front of the committee to hear whatever the consensus is that the most important briefs are for him or her to hear vis-à-vis any piece of legislation.

I say with some empathy towards the government House leader that when he's trying to bring a conclusion to a process which seems ever to expand in certain cases in certain bills, the problem we as legislators are facing is that we are not hearing new information when we sit night after night, because the groups are somewhat schooled in what they're coming to say to us.

As I said, on Bill 40 we had an OFL representative who dogged around from city to city and—it's conjecture on my part—probably gave the local group the brief that it was to read in front of the committee. Therefore, we went around from area to area not really learning very much new or really very much original in terms of that particular process.

It requires some kind of restructuring, of having a minister there at least for part of the hearings. I would like to see some restructuring in terms of the standing orders thrusting more responsibility on the members of the committee to maybe whittle down the briefs to the best dozen or the best half-dozen. The ministry would then be required to come in and listen to those half-dozen or dozen particular briefs so that the person who had the influence would hear the public input.

I'm chagrined that we have to keep moving. I think this is the fourth, or we're going to have five closure motions. It's never been done in this Legislature, but I believe that we should see this as an opportunity to look at our committee structure and say, "Yes, we've got to do something different there in order to avoid this kind of action by this government or any action in the future."

The Speaker (Hon David Warner): I thank the honourable member for Carleton for his contribution and invite any further debate. The member for Downsview.

Mr Anthony Perruzza (Downsview): Thank you very much, Mr Speaker. I thought you were going to move to my good friend across the way, but I guess not. I'll take a very short while and put some of my comments on the record in this regard.

We're debating closure. Closure essentially means that you're going to limit the amount of debate or the number of speakers on any given bill or anything that this Legislature is in the process of doing. As a New Democrat, it's my sense that I probably speak for most New Democrats when I say that this is one of the things that probably makes me uneasiest of all. There's implicit in the action the idea that you're somehow limiting people's democratic rights to speak to important matters of governance.

Each and every time I'm asked to do something like this, I have to go away and reconcile that within myself. But when I look at the rationale and what it is that's happening in this Legislature, really what it comes down to above all else is the refusal of the opposition parties to

recognize the legitimate right of this party and of this government to govern. That's what it essentially comes down to.

It's true we're trying to do a lot and we are doing a lot in terms of legislative changes and in terms of new initiatives and new ideas and so on. But when you look at some of the history in this place in terms of the different parties being able to introduce legislation and to carry legislation through this House for a final approval—you look at the 1980s.

In the 1980s, you had the Conservatives, they governed, and you had the Liberals, they governed. They split the decade. The Conservatives governed for roughly the first five years of that decade and the Liberals governed for the subsequent five years. They were able to push through this chamber roughly 30 bills per session each party. We, on the other hand, during our term have only been able to manage somewhere in the neighbourhood of 13 to 15 per session, less than half of what they were able to do.

To recap very briefly, the Conservatives and Liberals were able to push through this chamber roughly 30 bills a session. Every time they met, they were able to move 30 pieces of legislation each. The Conservatives were able to do that during the first part of the 1980s; the Liberals were able to do that during the second part of the 1980s. We have been only able to manage between 13 and 15, less than half.

How have they achieved this? How have they done this? Beneath it all, Mr Speaker, I know as well as you know that they refuse to recognize the legitimacy of this government, and that's fine. That's fine, I guess to some degree, and they can go ahead and do that. But that's essentially what's happened.

My Liberal friend, the member for Mississauga West, talked at length about how we've done this and done this and done this and how we've moved closure and closure and how we've cut people off and cut people off. But the reality is that when you look at all of those pieces of legislation, save and except for one bill, the photo-radar bill, save and except for that one single bill, we have debated each and every legislation on average, when you take the legislation that the Conservatives and Liberals introduced during their reign of terror and the legislation that we introduced during our government, you will find that on average during our government, we have debated legislation two and a half times longer than they ever allowed.

Now, you ask yourself, how could this possibly be when they complain and complain and complain? How can it be that we, during our term of office, are debating legislation for two and a half times as long as they are?

I'll tell you how they're doing it. When I was in high school and subsequently in university and I was taught the legislative process and the parliamentary process, whether it be at the provincial level or at the federal level, I was taught that bills are introduced for first reading and you generally introduce them at that time. The substantive debate takes place during second reading, and that's fine and that's fair game. During third reading, it's basically a formality; there is rarely ever any debate

during the third reading process and during the third reading exercise. Okay, that's fine too.

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But when you look at the bills that come before this House in terms of debate during our time in government, you will find that most bills, yes, are introduced for first reading; yes, we go through a very exhaustive and extensive second reading debate, but then they come back for third reading and what happens? Well, they do the same thing again. They take third reading, what should otherwise and traditionally be a formality, and they go through the whole debate all over again.

They go and they go and they go. They're a little like Eveready, and that's fine. If it's something new and it's intelligent, a substantive contribution to the debate, that's fine, but when you take the first speech you ever gave on a bill and you go—we're talking about Bill 80. I'm not going to be concerned too much with the actual content of the bill, but this was introduced for first reading June 25, 1992, almost a year and a half ago. I tell you, this bill has a lot of walking to do before it's actually proclaimed in law. Almost a year and a half later we're still talking about whether or not we're going to move on this bill. That's fine, that's fair game, and I understand that.

But I understand that they refuse to recognize the legitimacy of this government. They don't accept it. They don't accept the democratic will of the people of Ontario. I guess, to some degree, it's their right. It doesn't make it fair; it doesn't make it reasonable. But they'll use that, and they'll blow it up and blow it up and blow it up.

Yes, it's held up for second reading, extensive debate. Yes, it'll get held up again in third reading, and yes, they'll hold it up and stall and stagger it out until someone comes along and says, "Folks, you took your first speech and you re-read it; you took your second speech and you re-read it; and then on your third go, you took your first speech and you're re-reading it again for the third time." Then somebody comes along and says: "Hang on a minute now. We heard that one, we heard that one, we dealt with that one, we dealt with it again. So now let's move on."

Almost a year and a half later Bill 80 is still stuck, it's wedged in the legislative process, in the legislative exercise, and today we're eating up an awful lot of time talking about what? Talking about whether or not we're going to stop talking and get moving with some substantive action on a very important initiative, on a very important bill.

I have to tell you that given all of that, I still feel uncomfortable. I still feel uneasy when my friends, my Conservative friends and my Liberal friends, stand up in this place and say, "My gosh, here you go again, you're going to limit debate, you're going to close, you're shutting down the doors to Ontarians," and all the rest of it. There's nothing that could make me feel more uneasy than being accused of doing things like that.

But then I look at the amount of time: 30 bills per session during the Conservative reign of terror; 30 bills per session during the Liberal reign of terror. What are we able to muster? Less than half that amount.

I'll tell you something else, another statistic that perhaps my good friends across the way are not that familiar with. I say again that there's nothing that could make me feel more uneasy than talking to a motion of closure, but even with closure they would find that we debate legislation today far more than it's ever been debated under the Liberals and under the Conservatives. On average, that's exactly what takes place.

I sit here sometimes and I say to myself: "Gosh, I want to get things done. We really need to move this piece of legislation. We need to get this program going because we need to get people back to work. We need to get that money out there. We need to get that project started." Nothing infuriated me more than when the leader of the Conservative Party had the gall, when Ontario is probably facing one of the absolutely worst economic devastations in recent memory—in case you haven't heard, listen up—one of the worst economic recessions ever, and I'm not going to blame it on Conservative GST, I'm going to blame it on Conservative free trade—

Mr Callahan: On a point of order, Mr Speaker: I think it's important that we listen to the member for Yorkview's speech about democracy, but I think it's also important that we have a quorum in the House.

The Speaker: Would the table check to determine if a quorum is present.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Speaker: The member for Downsview may continue his speech.

Mr Perruzza: I was just about to say that during one of the worst economic times this province has faced in recent memory and in a very long time, nothing incensed me more than when we came into this chamber and we were talking about important matters, matters that would get Ontario moving again, matters that would get people working again, the leader of the third party, the Conservative Party, stood in his place day after day after day, reading out all of the little lakes and streams and rivers in the province of Ontario. You know what? We have that in Hansard, Little Creek Lake and Big Creek Lake—

Mr Sterling: On a point of privilege, Mr Speaker: All of those lakes were read in one day, not day after day after day.

The Speaker: The member knows he does not have a point of privilege, though probably of some interest to someone. The member for Downsview has the floor.

Mr Perruzza: Day after day after day he tied up the business of the House. You gave us a geography lesson. We could have gone to any geography book and gotten the names of the lakes and rivers and streams all by our lonesome, but you tied up the business of the House. You tied up the business of government to read every single, little lake, stream and river in the province. I'm sure you didn't cover them all; I'm sure there are many more. If concessions were made, they just would have kept going and going and going. They're like the battery that never

quits. In fact, the batteries quit, but they never do.

The other thing that really infuriates me is when they come into this chamber and what do they do? Simple. They start moving adjournment of the House, adjournments of the debate. You know what happens when that happens. You're asked to call for a vote. They stand up. They request a 30-minute bell and there's another 30 minutes down the drain. So not only do they bring those stall tactics—

Mr George Mammoliti (Yorkview): On a point of order, Mr Speaker: I'm trying to listen to my colleague. He's right in front of me and I can't hear him because of the heckling. You know how much heckling bothers me, Mr Speaker.

The Speaker: Yes, I do. The member for Downsview has the floor.

Mr Perruzza: So you come into this place and they find every stall tactic you could possibly imagine, but even after all that, even after tying up the business of the House and reading from—the leader of the Conservative Party, who should know better—

Mr Harnick: You seem to be so worried about us; speak to the House leader about it.

Mr Perruzza: —ties up the business of the House day after day after day; even after all that, I still feel uneasy about voting for closure.

As I said, you check the record and you look at this bill, you look at Bill 80, and you count the pages. Even if you're a real slow reader, you count the pages. There's one, there's two, there's three, there's four pages, and that's counting the cover. You got to be a real slow reader. Over a year and a half: introduced for first reading June 25, 1992. If you count the months, it's almost a year and a half.

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Mr Harnick: Why didn't you call it for a year and a half?

Mr Perruzza: I tell you, this has still got a long way to go before it's proclaimed into law, so if you're a real slow reader and you want to take your time with this bill—

Interjection.

The Speaker: Order, the member for Willowdale.

Mr Mammoliti: On a point of order, Mr Speaker: Not only is the member for Willowdale heckling in a loud manner and in a way that is offensive to the current speaker and myself; the language that he's using in this place, Mr Speaker, is offensive and I ask you to ask him to withdraw.

The Speaker: The member for Yorkview may take his seat. Indeed, interjections are out of order. The member for Willowdale did use an unparliamentary term and I know that he would like to withdraw that remark and allow the member for Downsview to continue with his speech.

Mr Harnick: I will withdraw that remark if it was offensive to the Speaker.

Mr Perruzza: Mr Speaker, I'm going to conclude and I'm not going to tie up more time, but I had this rage so

that I felt I had to get up. As I said, I feel uneasy about voting for closure, because voting for closure creates the illusion that somehow you don't want to listen to people any more or you don't want to talk on something any more, and that couldn't be farther from the truth.

I don't think I just speak for myself when I say that. I think I speak for a majority of New Democrats when I say that. That's why we belong to the party we belong to, because we believe in democratic rights and we believe in defending democratic rights. But when those democratic rights are just simply and completely and totally abused, when the minority would simply want to run roughshod over those rights, then I feel it's incumbent on the individual to stand his or her ground and say that enough is enough.

In summing up, I just want to recap this because I think it's important to get it on the record. During the 1980s, during the Conservative first-half reign of terror between 1980 and 1985, and then during the Liberal half of their reign of terror from 1985 to 1990, they were able to pass through this House roughly 30 bills per session. That's 30 bills per session. We have only been able to manage between 13 and 15, less than half.

When you look at the averages of the debates themselves on the actual bills, during the Conservative reign and during the Liberal reign that dominated the entire decade, you will find that. During our time in government, you will find that now, under the NDP government, we are debating legislation two and a half times longer than what was allowed by the Conservatives and what was allowed by the Liberals.

Interjections.

Mr Perruzza: Those are the facts. My Conservative and my Liberal opposition colleagues may not like to hear that. They may not like to listen to that.

Mr Callahan: On a point of order, Mr Speaker: I want to say that I've been so taken by the member for Downsview's argument that let's vote now.

The Speaker: The member does not have a point of order. The member for Downsview may continue his speech.

Mr Perruzza: That infuriates me, because I know for a fact that my Conservative friends and my Liberal friends go out into their communities and meet with their constituents. You know what they say? They say exactly the same thing that my honourable friend from Mississauga, the Liberal member from Mississauga, said here today. "They're limiting debate. They don't want us to talk any more because this is no good. They just want to ram it through and they want to get it through the Legislature and they want it proclaimed as fast as they can. They don't want any more talk." Nothing could be further from the truth when you examine the facts.

Mr Harnick: I've just listened with great interest to the member for Downsview talking about how upset he is about having to speak to another time allocation motion. One of the things that he said, and I'm not going to use the phrase that he was misleading the House, but he indicated that this bill was first called for first reading on June 25, 1992. He said that this bill has been lingering

in this Legislature since then and we wouldn't let it pass.

Let me tell you—and I'm not going to allege that he's misleading the House, because that would not be parliamentary—that the bill wasn't called for second reading until October 4, 1993. What was happening between October 4, 1993, and back on June 25, 1992? You know what was happening? Complete inactivity on the government side. Then the government comes in and brings in a bill on October 4, 1993, has second reading debate and then the hammer comes down. The hammer comes down while they were lingering—or malingering, I should say—doing absolutely nothing about calling this bill.

I say to you, and I'm not going to allege that my friend from Downsview misled anyone, but certainly—

The Speaker: No. Order. The member for Willowdale will know that he cannot do indirectly that which he is prevented from doing directly.

Mr Harnick: The member for Downsview was very quick to blame everyone else for the inability of this government to pass its legislation, but the fact is that this legislation sat doing nothing for almost a year and a half. Then, when they finally called it for second reading, we had three days of second reading. It's now gone out to committee. There are 35 groups that still wish to give evidence and be deponents before the committee, most of whom are opposed to the bill, and what does the government do? They bring down the hammer.

These new rules that we now have been operating under for two years are new rules that were brought in when the gun was put to the head of the opposition. But I remember the member from Windsor, the former House leader, said, "Don't worry, we're very seldom going to use time allocation." This is the 12th time in less than two years that time allocation has been brought in.

Mr Mahoney: Fourth time in six days.

Mr Harnick: My friend the member for Mississauga West says this is the fourth time in six days. I can tell him there's another one coming next week.

But the fact of the matter is that we have to ask ourselves why the Conservative Party when it governed this province for 42 years was able to pass 30 pieces of legislation in every sitting, why the Liberals in their short term in office were able to do the same, and why the NDP hasn't been able to do it in its short term in government.

The NDP blames everybody else. They blame the federal government for their difficulties, they blame the Liberals, they blame the Tories. They have a persecution complex. The reason that they can't—

Mr Mammoliti: On a point of order, Mr Speaker: In answering the question, we were a reasonable opposition.

The Speaker: The member does not have a point of order.

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Mr Harnick: I have no idea what that interjection meant.

We have to start to ask ourselves, why is this government unable to do what either the Conservative governments were able to do and what, very briefly, the Liberal

government was able to do? The answer is quite clear: It's because this government is positively inept. They couldn't even bring in a motion to extend the sittings till midnight without screwing it up. It's very clear. The rules say you can do it for eight days in December, and they tried to do it for two days in November and six days in December.

That's precisely why they bring in closure motions. They want to get this stuff through and they want to get out of here, because they don't want people to dwell on the fact that our credit rating has dropped again. They don't want people to dwell on the fact that they've brought in increased fees for literally everything the people of Ontario do: increased fees for land transfer tax, for probate, for corporate filing.

Hon David S. Cooke (Minister of Education and Training): You're losing it, Charles.

Mr Harnick: The member from Windsor indicates that I'm losing it. It's interesting because two years ago, when we were debating his rule changes, he assured us, the honourable member from Windsor, that very seldom would time allocation be brought in. This is the 12th time in less than two years and it's the fourth time in the last two weeks.

It really is amazing that after being here and being the government for three years, the New Democratic Party still can't figure out how to govern. They still can't figure out how to sit down at a House leaders' meeting and make the necessary arrangements and consensus and agreement to get the pieces of legislation they want through this Legislature. The only way they can do it is by the hammer, and they do it by the hammer because they want out of here.

They don't want people to talk about the deficits that they've run up. They don't want people to talk about the fact that you have to pay six years' worth of driver's licence fees today in order to get your licence and they want to collect all the money now. They don't want to talk about photo-radar, which is going to be the biggest pilfering of the pockets of the motorists in Ontario.

The other interesting thing about their time allocation motions—and auto insurance was a perfect example. They brought down the hammer on auto insurance. We had to have that through this Legislature last spring. In fact, they brought in their time allocation motion and they rushed it through the Legislature—it still isn't even in force. The regulations? I don't even think they're written yet. It's the same thing with employment equity.

We keep going to this committee and we keep hearing about "This has to get done," and I know that's the next time allocation motion. I'm sure the House leader's got it drafted and the ink is probably still drying, but the fact is they're not even ready to proclaim the piece of legislation. At least let the committees go through the clause-by-clause process. At least on Bill 80 let everyone come who wants to speak and give them the 30 minutes they were promised, not cut it back to 20 minutes and rush them in and out.

This is the way a government operates when people are opposed to its legislation, when it wants to hide and

when it doesn't want to present its record. This government has stooped so low that the Premier has taken a part-time job as a columnist with the *Toronto Star* to try to get his message across. Even at that, this party is still at 6% in the polls. I say, rather than time allocation, just call an election and let's see what the people of Ontario really want.

The Speaker: I thank the honourable member for Willowdale for his contribution to the debate and invite further debate. The member for Brantford.

Hon Brad Ward (Minister without Portfolio in Finance): It's a pleasure to participate in this debate for the short time that I have. I won't go into the need to pass this bill, this five-page bill, half French—four-and-a-half pages really—and the amount of debate that we've had, section by section etc.

I want to point out the good things the bill will bring to the people of Ontario, particularly in the trades industry, in the construction industry: shared bargaining rights in the non-industrial, commercial, institutional sectors, a right currently enjoyed in the ICI sector; much greater control over the resolution of jurisdictional issues within their trade; greater protection from interference or reprisals from their parents and proportionate control over their benefit plans. What is wrong with that?

I have some letters of support written to me by various locals in the trades.

The Sheet Metal Workers' International Association, Local 30: "I am writing to ask that you do everything possible to support Bill 80. This piece of legislation will ensure that the democratic rights of building tradesmen in Ontario are respected by our international union. It is long overdue. James Moffatt, Business Manager, Local 30, Sheet Metal Workers."

The London and District Building and Construction Trades Council, of which we have a Tory member: "Very recently all of our executive board was nominated and acclaimed to its former positions. It would be therefore appropriate to again comment on our support of the bill, Bill 80. Although we cannot understand any legitimate reason to deny Ontario workers these rights in Bill 80, the remainder of the bill remains intact." They're talking about some of the proposals we're removing. "It'll still leave us with some basis of autonomy within our current structures and the ability to exist and work with our parent organizations."

That is signed by Jim McKinnon, John Haggis, John Payne, business representative, operating engineers, Local 793—John Haggis, business manager, Bricklayers Local 5, Jim McKinnon, president and business manager, Labourers' Local 1059—out of the London area.

The Committee of Ontario Construction Locals in Support of Bill 80: "Bill 80 is essential to ensuring that members of the Ontario construction locals gain basic rights of freedom of speech and freedom of association that are enjoyed by other union memberships and indeed by society at large."

"The proposed amendments will protect the development of democracy in the construction unions by providing legislative checks and balances against the absolute

unchecked power of the international executive based in the United States. In this sense the amendments, including Bill 8, constitute some important internal union housecleaning that will not affect collective bargaining patterns or any other aspect of labour-management relations."

That's signed by a number of trade unionists, including International Union of Bricklayers, Local 5 once again; International Union of Bricklayers, Local 10 out of Kingston; International Brotherhood of Electrical Workers, Local 353 out of Toronto; Labourers' International Union of North America, Local 247 at Kingston; Labourers' International Union of North America, Local 597 of Oshawa; Labourers' International Union of North America, Local 1089 out of Sarnia; International Union of Operating Engineers, Local 793 Ontario-wide; Ontario Sheet Metal Workers' and Roofers' Conference Ontario-wide; IBEW Local 1788, Ontario Hydro; London and District Building and Construction Trades Council, and again, Labourers' International Local 1059.

From the International Brotherhood of Electrical Workers, IBEW Local Union 1788: "Members voted unanimously at union meetings across the province to support Bill 80 in its entirety, despite the constant bombardment of anti-Bill 80 rhetoric and misinformation from our IBEW International office. Labour-management relations must improve in the province of Ontario if we are to meet the competitive challenge of a rapidly changing economy. Bill 80 is a step in the right direction. Workers must feel they are part of the process. They must have confidence that the voice of labour is indeed the voice of the worker."

Finally, from IBEW Local Union 353, they write: "This may not please those who now hold unlimited power in the US over our union, but believe me, those who live and work here in Ontario are very glad to see Bill 80. It should be really called a declaration of rights for Ontario construction workers. Please support it."

They have my support, these construction trade unionists. All across Ontario, they support Bill 80. They would support what we're trying to do today by invoking closure so that this bill can have the appropriate readings and be proclaimed in law as soon as possible.

I think there's someone else who wants to talk on our side, and I'll give him that opportunity.

The Speaker: I thank the member for Brantford and recognize the member for Cambridge.

Hon Mike Farnan (Minister without Portfolio in Education and Training): I just rise to make one point. I have heard so much today in terms of the limiting of debate for opposition members. Yet, when one examines the record, the record is very clear. One analyses the length of time that was given to debate of major issues in the past, and the record will show that under this government there are two and a half times as much debate on a given issue as under the previous administration. So as opposition members stand up one after another and rail against the government, never in this province has there been such significant debate.

The second point I would make is, if indeed they were

simply to get on with the business of the House and not spend so much time complaining day after day after day, we could increase the amount of time for vigorous debate, just by that simple action on the part of the opposition by saying: "We're not going to waste time by simply having stalling tactics. We will talk to the issues. This government has been indeed generous. On the other hand, this opposition has been the most obstructionist that has ever existed in this House."

The Speaker: Mr Charlton moved government notice of motion number 17, a resolution which stands in his name, time allocation with respect to Bill 80.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; a 15-minute bell.

The division bells rang from 1802 to 1817.

The Speaker: Mr Charlton has moved government notice of motion number 17, a resolution which stands in his name, time allocation with respect to Bill 80. All those in favour of Mr Charlton's resolution should please rise one by one.

Ayes

Abel, Akande, Allen, Boyd, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Duignan, Farnan, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Mathysen, Mills, O'Connor, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rizzo, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, Wessenger, White, Wilson (Kingston and The Islands), Wilson (Frontenac-Addington), Winger, Wiseman, Wood, Ziemba.

The Speaker: All those opposed to Mr Charlton's resolution should please rise one by one.

Nays

Arnott, Brown, Callahan, Cordiano, Elston, Harnick, Henderson, Johnson (Don Mills), Kwinter, Mahoney, Marland, McClelland, Murphy, Phillips (Scarborough-Agincourt), Poole, Sorbara, Sterling, Turnbull, Wilson (Simcoe West), Witmer.

The Speaker: The ayes being 60, the nays being 20, I declare the motion carried.

Does the government House leader have a business statement for next week?

BUSINESS OF THE HOUSE

Hon Brian A. Charlton (Government House Leader): Pursuant to standing order 55, I would like to indicate the business of the House for the week of November 29.

On Monday, November 29, we will give committee of the whole consideration to casinos, Bill 8. As per a previous order of the House, the stacked divisions will be put, starting at 5 pm. Following the completion of those

votes, we will give second and third reading consideration to all Pr bills and then return to committee of the whole to consider amendments to Bill 40, community economic development, and Bill 51, Simcoe county.

Government business for the remainder of the week will be announced pending further consultation with the opposition parties.

On Thursday, December 2, private members' public

business, we will consider ballot item number 39, a resolution standing in the name of Mrs Marland, and ballot item number 40, a resolution standing in the name of Mr Johnson.

The Speaker (Hon David Warner): It being past 6 of the clock, this House stands adjourned until 1:30 of the clock Monday next.

The House adjourned at 1822.

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Official Report of Debates (Hansard)

Monday 29 November 1993



Journal des débats (Hansard)

Lundi 29 novembre 1993

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Monday 29 November 1993

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS

ST LAWRENCE PARKS COMMISSION

Mr John C. Cleary (Cornwall): For the information of the Minister of Culture, Tourism and Recreation, this is the sixth time I have stood in my place calling for the ministry's attention to the need for better cooperation between the St Lawrence Parks Commission, the government and the private sector.

Since the beginning of the summer, I have tried to convince the minister and the Premier to take into consideration proposals to allow individuals to lease the closed parks in the St Lawrence Parks Commission so that tourism within Ontario can be encouraged. The government is not the only party interested in a successful tourism sector. Residents of eastern Ontario are anxious to have the parks reopened.

Last week, I saw the minister proudly urging Ontario residents to vacation in Ontario. Unfortunately, the decision deadline for the Raisin River and the Charlottenburgh parks has now passed, meaning they may be closed again next summer. Eastern Ontario residents and the visitors will not be able to vacation in these parks. This is definitely a missed opportunity.

I have requested that the minister reconsider leasing the parks to interested individuals so that eastern Ontario's economy can be revitalized and jobs for summer students made available. Since community support for these parks is high, I would ask the minister to put aside ideological opinions and do what is in the best interests of tourism in eastern Ontario and reopen the parks.

LONG-TERM CARE

Mr Charles Harnick (Willowdale): This past August, a letter was hand-delivered to the Office of the Premier. The letter concerned the government's massive rate increases for individuals in nursing homes and their impact on my constituent, Mr George Grinnell.

Mr Grinnell is a 91-year-old man facing a rate increase of 32%. Mr Grinnell lives in a four-person ward in one of the homes for the aged in my riding. My constituent's annual income is just over \$16,000, yet he is being hit with this huge rate increase. With the increase, Mr Grinnell will be left with no disposable income. His entire finances will be forced to be directed towards covering the cost of his nursing home.

The government is taking advantage of those individuals who can least afford the increase and who are powerless to oppose it. Society's most vulnerable should not be forced to pay these horrific rate increases.

I would like to quote the letter that was sent to the Premier: "Is it too much to ask our politicians to use common sense to do something constructive, to listen to the people and to exhibit some decency and integrity?"

I think this is the least the people of Ontario can ask of their government. On behalf of my constituent, I urge the government to revoke these astronomical rate

increases and finally for the Premier to answer his mail.

PALLIATIVE AT-HOME CARE TEAM

Mr Robert Frankford (Scarborough East): Dr Julian Tudor Hart is a prominent British physician who has written papers in which he says that consumers should also become the producers of health care.

At this time of deficits and restraints, we should examine all possible ways of making such a change. In fact, it has always existed to some extent. Witness the example of diabetes, where the patient and his or her family should understand the management of insulin, in that particular case, even better than the doctor.

I'd like to mention palliative care at home as another example. With a supportive team of doctors and nurses, families gain confidence and skills in caring for their loved ones with terminal illnesses such as cancer. The management of pain control drugs and chemotherapy makes it possible to keep patients at home. It's gratifying that cost savings actually accompany more humane care.

In Scarborough, we are very proud of the Palliative At-home Care Team, a group of family physicians and nurses who have successfully brought palliative care to the community. Although the work is demanding—six patients per full-time family physician is the optimum caseload—there is considerable professional satisfaction, and working in a multidisciplinary team must be the way of the future. The fact that 60% of their cases die at home is actually a tribute to their effectiveness.

We trust that the Ministry of Health recognizes the many benefits and assures the continued availability of appropriate alternative funding for such community teams of carers.

WOMEN'S ISSUES

Ms Dianne Poole (Eglinton): This morning, members from all three parties attended the annual lobby of the Ontario Association of Interval and Transition Houses, known as OAITH. While the purpose of the lobby was to receive answers and commitments from the NDP government about its action on issues of violence towards women, what shelter workers heard instead were empty platitudes and rhetoric.

The women of OAITH expressed concern about the insensitivity of the judicial system towards victims of abuse and violence. But while the government expressed sympathy, it was this very same NDP government which this year dramatically reduced the amount of funding targeted to training and sensitizing judges and prosecutors.

When women asked the NDP to commit to permanent funding for the supervised access program, the Attorney General's evasive reply was that she was personally supportive but she couldn't "guarantee the support of treasury board."

OAITH also demanded to know why the NDP had not released funds for the down payment on pay equity promised last May—another case of the NDP taking credit without producing the goods.

OAITH raised its deep concerns with the devastating impact of the expenditure control plan and the social contract on women in need. They brought forward concerns about delays in pay equity, the failure of Jobs Ontario, which has produced only low-paid and short-term jobs, and continuing concerns that all too often police sensitivity training is on paper only. It's time for this government to give the women of OAITH action, not words.

1340

VIOLENCE

Mr Cameron Jackson (Burlington South): During last Thursday's meeting of the Safe School Task Force, Liz Barkley, the president of the Ontario Secondary School Teachers' Federation, stated her appreciation to the current Minister of Education who, unlike his predecessors, at least acknowledged that there is a serious problem of school violence. According to her, both Marion Boyd and Tony Silipo did nothing to deal with school violence. They are now the Attorney General and the Minister of Community and Social Services in charge of both justice and children.

This morning I attended the annual lobby day of the Ontario Association for Interval and Transition Houses. During the two-and-a-half-hour meeting, concerns were raised about why the NDP government is committed to zero tolerance for school violence but not for domestic violence and that this reflects in part an unacceptable limitation on the understanding of the true basis for violent acts being committed in schools. Effective intervention on behalf of children is therefore more likely to occur at this stage, before it spills over into our schools.

On behalf of OAITH, I too challenge the NDP to affirm a zero tolerance policy for domestic violence. The Attorney General cannot turn her back on supervised access programs whose funding ends in three months. The social services minister should work to amend the Children's Law Reform Act to ensure zero tolerance for domestic violence involving children and the NDP must assist children's mental health centres to provide needed services to more than 7,000 vulnerable children on waiting lists.

Children are not born violent. They learn violent behaviour and for far too many Ontario children, this is occurring within destructive home environments. While this government is trying to explain what it means by zero tolerance in the schools, perhaps it can also explain to OAITH and others its commitment to zero tolerance of domestic violence and its effect on our children.

NIAGARA FESTIVAL OF LIGHTS

Ms Margaret H. Harrington (Niagara Falls): I want to let you know again this year about a very special part of Ontario and that is the magic of Niagara Falls. Of course I mean the Winter Festival of Lights. Each year at this time the falls and the Niagara parks become an enchanted place, this year with the help of the magic of Disney.

This past weekend, thousands watched the wonderful Disney musical production on an outdoor stage right beside the falls. Come to Niagara Falls, stay over in one of our fine hotels, many with swimming pools for the

kids, let the children enjoy the best of the holiday season, the exciting Disney displays, the lights in the park and the natural wonder of the falls in winter.

The highlight of the season will once again be New Year's Eve—a gala celebration with great entertainers. First of all, there will be Sandra Beach for the kids, then there will be country entertainer George Fox, followed by R&B and rock musician Colin James, and then a dance band from Disney called MMC. The evening will be televised across Canada by Baton Broadcasting and it's all free. Come and enjoy the wonder of Niagara Falls's Festival of Lights.

PREMIER OF ONTARIO

Mrs Elinor Caplan (Oriole): Mr Speaker, I know you'll agree when I say, "Poor Bob Rae." He says that everyone else is responsible for the current state of the province's affairs except himself. He whines that the media never give him a fair chance. He claims that hundreds of reporters are all conspiring against him. Poor Bob Rae.

He says that creditors and investors aren't willing to give his government a fair shake. When the province's credit rating was downgraded last week, Bob Rae said he was surprised. How could it be his fault? He's not responsible. "Don't hold me accountable," he says. Poor Bob Rae.

Even organized labour doesn't want to give Bob another chance. The split between the NDP and the OFL came as a result of the social contract and general mismanagement by the NDP government, but Bob says none of these things are his fault. He says that labour's giving him a hard time for no reason. Poor Bob Rae.

Bob Rae says everyone else is responsible, he shouldn't be held accountable, it's not his fault.

On Thursday, December 2, the people of Ontario will let Bob Rae know just who they believe is responsible and who they believe should be held accountable for the current state of this province. On December 2 I hope that the citizens of Essex South will go to the polls in a by-election and elect the outstanding Liberal candidate, Bruce Crozier, as their member for their riding. They'll send a message to poor Bob Rae.

VIOLENCE AGAINST WOMEN

Mrs Elizabeth Witmer (Waterloo North): Today the Ontario Association of Interval and Transition Houses held its annual lobby day. This organization, which represents a network of 77 shelters and groups working to eliminate violence against women and children, is here to speak on behalf of those who are victims of violence. I would like to congratulate them on their very hard work and their dedication to truly making our society free from violence.

The focus of this year's lobby is the serious problems in our family and criminal legal system, and I would like to indicate to the Attorney General that my colleagues in the PC caucus and I strongly support the recommendations made by OAITH.

The government must look at providing adequate cultural interpretation services for women. There is a need for faster service from the support and custody order

enforcement program to ensure that women do receive support more promptly. We must ensure that the Children's Law Reform Act, in its enforcement, reflects a policy of zero tolerance for violence and abuse, and there is a pressing need for the government to ensure that our judicial system is free from bias and is sensitive to the very real problems of violence against women.

I would specifically urge the government to ensure that the supervised access centres pilot project, which ends in March, 1994, is made a permanent program. I know that in my own community of Kitchener-Waterloo and Cambridge the centres have been a very successful additive to our community.

The Speaker (Hon David Warner): The member's time has expired.

Mrs Witmer: I urge the government to take immediate action.

WALKERS AND RUNNERS AROUND THE COUNTY OF ESSEX

Mr Wayne Lessard (Windsor-Walkerville): Today I want to praise an important volunteer group, Walkers and Runners Around the County of Essex, or WRACE for short. Almost every weekend with my son, Brett, in his jogging stroller, I join our friends in WRACE for a six- or 10-kilometre run. Not only is this great exercise and great fun, it truly is a family affair. Members who range in age from 9 to 74 compete against persons their own age, parents compete against their children, and grandparents compete against their grandchildren. WRACE events attract participants from southwestern Ontario and from the United States.

This season WRACE helped raise over \$312,000 for local charities, including the Heart and Stroke Foundation, the downtown mission, the Canadian Hearing Society, the Canadian Cancer Society, the local Council on Aging, Citizen Advocacy, the Metropolitan General Hospital burn unit hospice and the Canadian Mental Health Association.

Of course, an organization of 500 members couldn't achieve such greatness without the work of many volunteers and corporate sponsors like Culligan Water, Pepsi, the Olive Garden, Windsor Factory Supply, and the support of Windsor Police Services and its auxiliary, Rose City REACT, volunteer of the year Jim Tuite, and WRACE's driving force, Jerry Slavik. They helped over 35,000 runners and walkers cross the finish line safely this season.

To my fellow WRACE members, I want to encourage you to prepare for next season, stay in shape, register early and plan to bring a friend. You can count on Brett and me to be joining you.

VISITORS

The Speaker (Hon David Warner): I invite all members to welcome to our chamber, and indeed to our country, two special visitors from the National Assembly of Cambodia who are seated in the Speaker's gallery, Mr Tol Lah, secretary general, and Mr Niem Chou Leng, special assistant. Mr Lah will be assisting at the table during his visit to Ontario. Welcome to Ontario, Canada.

Hon Bob Mackenzie (Minister of Labour): Mr

Speaker, can I ask for unanimous consent of the House to make a brief statement on the Kirkland Lake mine rescue operation that's under way?

The Speaker: Do we have unanimous consent? Agreed.

STATEMENTS BY THE MINISTRY AND RESPONSES

MACASSA MINE

Hon Bob Mackenzie (Minister of Labour): The thoughts of all members today are no doubt with the families and friends of the two miners trapped since last Friday by a rockburst at the Macassa mine in Kirkland Lake. No one of us can truly know the mixture of fear, hope and anxiety running through the minds of the families as they wait for news of their loved ones. All we can do is offer our prayers and support, as much of Kirkland Lake is doing today.

The crisis has drawn that community together in a way that is common in mining towns, where everyone knows everyone else. You can be sure that the people of Kirkland Lake are close to their radios and telephones waiting for the latest news, hoping against hope that these two workers are still safe.

These families know, as families of miners have known for decades, that mining is a dangerous occupation. They know that any time they could hear the emergency alarms ring and the evacuation bells sound. The industry has made great strides with its health and safety record in recent years. However, it will never be enough to allay totally the fears of miners and their families.

I would like now to share with the House the latest news from Kirkland Lake. At this hour rescue operations continue around the clock, spearheaded by the company's own rescue team. Three Ministry of Labour mine rescue officers are on the scene as well, providing advice and backup on a 24-hour basis. The rescue effort is proceeding diligently and professionally, given the fact that there is a tremendous amount of rubble and debris to overcome and the safety of the mine rescue teams themselves to consider.

1350

Two Ministry of Labour ground control engineers are en route to Kirkland Lake to begin an investigation into the cause of the accident. All work in other areas of the mine has come to a halt.

As the Minister of Labour, I have often been called upon to defend the money and time spent on occupational health and safety. Unfortunately, it is only at times like this that some people finally realize how valuable that investment is in terms of reducing workplace accidents and saving lives.

Although miners are famous for never voicing optimism during a rescue operation for fear it may turn out the other way, we are all silently hoping for a quick and happy end to the search. May the families of those two very brave and courageous miners be surrounded by comfort and care in these anxious hours.

Mr David Ramsay (Timiskaming): First, I'd like to thank the Minister of Labour for his kind thoughts for all my constituents in Kirkland Lake and especially the

families involved and the miners who are trapped in the Macassa mine.

It is a very sad day in Kirkland Lake. It's something that I guess always hangs over us in mining communities. In northern Ontario, there are not too many things that we do in terms of our occupations. We are fairly limited to resource extraction and jobs that service the resources. We know that mining is a very dangerous occupation for sure. We have been wonderfully blessed with the resources in northern Ontario and have developed an expertise to exploit that resource, to develop that resource and sell those minerals around the world and have developed quite a reputation for doing that. But at the same time, we understand the risks involved in developing that resource. Mining is not as safe as it should be, and we must always endeavour to try to make it safer.

This is the third incident of a rockburst in the last few years. It certainly concerns me. I think the industry, government and all of us are going to have to work more diligently towards finding ways of detecting rockbursts so we can prevent these types of occurrences from happening.

I just wish the rescue operators well. They're in the mine now. They're working as volunteers on four-hour shifts. There's a lot of material that has to be removed there to recover these men. We wish them well, and we wish their families well.

Mrs Elizabeth Witmer (Waterloo North): I would like to thank the Minister of Labour for his comments this afternoon.

Our prayers and our thoughts are with the community of Kirkland Lake this afternoon as the search continues for the two miners who are trapped as a result of the explosion last Friday. Our sympathy is with the friends and the families of the men, who we know are experiencing anxiety as the rescue efforts continue.

As has already been indicated, underground mining does present a very special risk to the men and the women who have earned their living in this very important Canadian industry. The inherent danger in working two kilometres below the earth's surface is a situation which these workers must deal with on a daily basis.

We extend a special prayer to mine manager Rudi Rucker and to the rescuers who are working around the clock with a tremendous effort to reach the area where the men are trapped. We pray that these individuals will be granted the strength and the courage to continue these efforts.

It is at times like this that we in this House do forgo our partisan positioning on political issues and pull together, as we have today, in any way possible to assist a community and families and friends who are in despair. Our thoughts are with Kirkland Lake and all of north-eastern Ontario as their rescue efforts continue. We wish them well and Godspeed in these endeavours.

ONTARIO PARENT COUNCIL

Hon David S. Cooke (Minister of Education and Training): Three months ago, I announced the launch of the Ontario Parent Council. I did this because we believe the system has to be more accountable to the people it

serves. We also believe that parents must be given a formal voice on education issues at the provincial level.

Public response to the council's launch was excellent. In the weeks following the announcement, ministry staff were flooded with inquiries. We had more than 3,000 requests for information and received more than 1,000 applications for membership to the council. From the hundreds of qualified applicants, 18 parents have now been selected to form Ontario's first Ontario Parent Council.

Three of the members have been appointed by parents' groups with a long record of service in Ontario. The Ontario Federation of Home and School Associations, the Federation of Catholic Parent-Teacher Associations of Ontario and the Federation of Francophone Parents' Associations of Ontario have each appointed one member to the council.

The other 15 places on the parent council have been filled from applications submitted. External selection committees were created in each of the six regions of the province. These committees, composed of parents and other community members, each chose one member for the council. I have used the applications received to select an additional nine members to reflect as closely as possible the diversity of Ontario's population.

Although selecting just 18 members wasn't easy, we now have a council of deeply committed parents who will work diligently in the interests of all Ontario parents.

It is my pleasure to introduce the members of Ontario's first parent council. They are with us in the members' gallery this afternoon. They are: Gisèle Acheson, from Navan; Cecilia Bruno, from Sault Ste Marie; Richard Burke, of London; Norma Coleman, from Tecumseh; Peter Farlinger, from Desboro; Carole Lamoureux, from Chelmsford; Jacqueline Latter, who has agreed to be the first chair of the council and is from Toronto; Leslie Linklater is from Moose Factory; Norma McGuire is from Etobicoke; Glenn Meadows is from North Bay; Valerie Mills-Daly, from Kenora; Malcolm Ng is from Richmond Hill; Spiros—I'm not going to say this correctly; I'm going to try my best, and I apologize to Spiros—Papathanasakis is from Toronto; Francesca Piredda is from Ottawa; Barbara Smith is from Markham; John Storm is from St Catharines; Mervis White is from Scarborough; and Richard Zelinka is from London. I ask the members of the parent council to stand.

As Minister of Education and Training, I have received a clear message from parents that they are concerned about how and what children are being taught. They want a greater say in how their children are educated. The Ontario Parent Council will help make that possible. As it finds new and better ways to communicate with parents, the council will be an access point for parents to get more involved in the education system.

As an advisory body, the council will give me recommendations on education policies, programs and issues. The council will be free to study whatever issues it deems important. From time to time I will ask the council to address topics of particular interest to the province.

I have given the lead responsibility for the council to

my associate minister, Mike Farnan, who is himself a parent with two children in Ontario's education system. We both look forward to meeting regularly with the Ontario Parent Council and hearing its views.

It is essential that we hear from parents when we make decisions about education of their children. Ontarians want an education system that is more accountable to the public it serves, and one of the ways we can do that is by listening to what parents have to say.

TOBACCO SMUGGLING

Hon Floyd Laughren (Minister of Finance): Later this afternoon I will introduce for first reading an act to amend the revenue enforcement statute law, which contains provisions to improve compliance with a number of tax statutes.

Most important among these are measures that address an issue of great concern to many of us in this House: the growing illegal trade in cigarettes and other tobacco products. Today we are introducing strong steps to fight this criminal activity.

I would like to highlight for my fellow members what these measures will consist of.

First, we are increasing the penalties against people who trade in cigarettes on which provincial tax is not paid. Those convicted of possession for sale of 50 or more cartons of such unmarked cigarettes will now be liable to pay 10 times the amount of the unpaid tax, up from the current three times, and, for the first time, those convicted of possessing unmarked cigarettes in those quantities may go to jail for up to two years, the maximum period allowed under provincial law.

1400

To target people selling illegal cigarettes on the street, anyone in possession of five or more cartons of unmarked cigarettes will face a fine of \$300 to \$10,000 as well as seizure of the product, measures which already apply to those who trade in larger amounts.

Second, provincial officials will be given the power to stop and search any vehicle where there are reasonable grounds to believe it is being used to move illegal tobacco. We are taking this step because we know that non-commercial vehicles such as cars and vans are being used to distribute smuggled cigarettes. Right now, there is very little we can do to control that.

In order to make these measures as effective as possible, we will be adding investigators and inspectors to the tax division of the Ministry of Finance as well as increasing police presence in those areas where the problem is most serious. These measures give the province greater power to police the trade in cigarettes on which no provincial tax is paid.

But there are very real limits to what we can do. Smuggling unmarked cigarettes into Ontario from outside the country, as opposed to selling them here, is a federal crime, not a provincial one. We do not have the power to arrest smugglers as they cross the border. Nor can we investigate possible illegalities on first nations reserves.

I say this to remind my fellow members that this is a very complex issue involving provincial police forces in Ontario and Quebec and authorities at the federal level

here and in the United States, in New York state and among the first nations. My cabinet colleagues and I are eager to work together with our federal counterparts to explore further areas where our governments can jointly tackle this growing problem.

The illegal sale of cigarettes is not a victimless crime. It steals revenues that are supposed to pay for valuable services such as health care, education, training and other programs. These are services that all of us in Ontario benefit from and that all of us should contribute to by paying our fair share.

Smuggling creates fear in communities and it creates a criminal infrastructure that opens our province to illegal trade in guns, drugs and other controlled substances. That is why this province is today introducing stronger measures to fight this problem and why we continue to look for ways to combat this illegal, criminal activity.

I ask my colleagues on both sides of the House for their full cooperation in speeding the passage of this bill so that these measures become law as soon as possible.

Mr Gerry Phillips (Scarborough-Agincourt): I want to respond to the statement by the Minister of Finance. Just to put it into a context that I think we're all familiar with, a legislative committee is dealing with this issue. I think it's fair to say that the testimony there would confirm that the province loses between \$2 billion and \$4 billion a year in revenue as a result of various things in the underground economy. Obviously today we're dealing with one important subaspect of that, and that is the issue of illegal cigarettes.

The most shocking testimony, I think, to our committee was last Thursday, when the OPP indicated that the nightly profit on the illegal sale of cigarettes, just from cigarettes that cross Cornwall each night, is roughly a million dollars. We're dealing with an extremely serious matter. As my colleague the member for Cornwall, Mr Cleary, has said often here, there is the financial matter and there is the safety matter. Many of the residents in the Cornwall area have felt a threat, really, to their safety.

It is an issue that is necessary to deal with. It is an enormous issue dealing with the revenues of the province far beyond just the issue of cigarette smuggling.

Having said that, the proposals today are a small but necessary and important step forward. As I read the proposals, and we will see the bill later, they deal with increased fines, with stepping up the patrolling, with allowing our enforcement officers more leeway in investigations. It is important but, I think we should recognize, just a first step in dealing with what now all of us, I believe, regard as a major problem.

I heard the statement today earlier by the federal Minister of Finance, who indicates that the underground economy is one of the key reasons why the federal revenues are down. So while we will be looking to be very much supportive of the proposals today, I think it is also important that the government recognizes that we need to deal with this in a comprehensive way.

I think fundamental to that is there is no doubt that people who are normally law-abiding citizens are avoiding paying taxes. We have to come to grips with that,

because we are on the edge of a large number of our citizens finding that it is quite acceptable in the way they conduct their day-to-day activities to avoid taxes.

We will now look, as I say, at the legislation. We'll be as supportive as we can as we see the legislation. The all-party legislative committee—that was, if I do say so, the Liberal Party initiative, supported by the other parties—will be coming forward I hope with additional recommendations for dealing with the underground economy.

ONTARIO PARENT COUNCIL

Mr Charles Beer (York North): I rise in response to the statement by the Minister of Education and Training. I was pleased to be at the session earlier today when the members of the council were introduced. I think it's fair to say that they have a very daunting task indeed.

But certainly all of us who had a chance to meet with them and to talk with them would recognize that they're looking upon their new responsibilities with a great deal of determination and I think with some interesting ideas, imaginative ideas, innovative ideas, to try to help all of us in ensuring that there is even greater involvement of parents within our school system.

We will have an opportunity later in this session to deal with the omnibus bill and to debate some of the more specific issues around the creation of the parent council. But I hope one of the things that the council will really look at is in using its regular meetings to get around the province and not to see itself as being fixed here in Toronto but really getting out, because if it can play its role well and effectively, I think it is going to be through liaising with parents in various parts of the province.

The minister noted the number of individuals who've written, phoned, expressed interest in the council and the number who had actually applied to be on the council itself. I think that is indicative—certainly to any of us who are out there meeting with parents, and the royal commission I think would echo that as well—that this is a very, very important area and the Ontario Parent Council can perform enormous service by doing its job well. I'm sure, in looking at the names of those who are there, that they will do that. We look forward to working with them and working with the minister to make our education system even better.

Mr Michael D. Harris (Nipissing): Briefly, I wish to respond to the statement by the Minister of Education and indicate that on behalf of the member for Waterloo North and the member for London North, who co-chaired about a year of consultation, of listening to parents and listening to those involved in the educational community talk about what they saw was wrong with the system and changes they wanted to make—and then the publication of the document *New Directions*, Volume Two, on learning in Ontario.

One of the key recommendations of that document—and let me say this, by the way, that since this new Minister of Education has taken over, contrary to the rest of the rascals that ignored just about everything the public was saying and *New Directions* said, this minister has adopted some of those, for example, greater

accountability through testing so that we understand how our kids are stacking up against other schools, other systems, other provinces, other countries.

We regret that it has taken a couple of years to correct some of the mismanagement of the last eight years of Liberals and NDP, but we want to say that we're very supportive. We can only hope that this government, unlike the previous Liberal government, will listen when the parents do tell it the concerns that we have. We will look forward to that.

1410

TOBACCO SMUGGLING

Mr Michael D. Harris (Nipissing): I particularly, though, also want to respond to the statement that was made by the Treasurer in talking about cigarette smuggling and the steps that he's taken. He's forgotten a couple of the most important reasons, the two, one and two; no attack on reasons one and two, why smuggling is on the increase and why, once cigarettes get smuggled in, they are far more accessible to our youth than if they were sold legitimately, whatever the reasons.

Reason number one: Our taxes are too high. They're too high relative to all other jurisdictions. Just as businesses have to be competitive, families have to be competitive, government taxation levels have to be competitive, and in the area of cigarettes, as well as a whole host of other areas, thanks to eight years of Liberal and NDP overtaxing, we're not competitive. That's the number one reason for smuggling.

The number two reason why people cheat on their taxes—

Mr Drummond White (Durham Centre): Lowest in Canada.

The Speaker (Hon David Warner): Order. The member for Durham Centre, please come to order.

Mr Harris: —the number two reason is their absolute distrust and disgust with how the money is being spent. When people feel that governments are frittering their money away—

Mr White: Lower than any Tory government in Canada. Lower than Alberta.

The Speaker: The member for Durham Centre, please come to order.

Mr Harris: —when people feel that governments are mismanaging the money that they get through taxes, then they more and more resent paying those taxes and they look for tax avoidances. Those perhaps are the two main reasons why the avoidance of paying tax on cigarettes is on the increase.

It's interesting that the Treasurer today—at the very time in his talks on the reason why cigarette smuggling is so much on the increase, this frittering away of the dollars, this mismanagement—came forth with his *Economic Outlook* and released the data on that to the finance committee. In that he indicated that virtually every indicator, every indicator that was in his budget of 1993 last spring, all the indicators were lower. They were all lower than they were there, down a full point in some cases.

That is why the bond raters think your debt projections for next year and the year after or the year after are full of hokey, that they won't stand up. In fact the only person I've seen in the country who thinks that they are even close is Paul Martin.

Paul Martin and Floyd Laughren pat each other on the back and say: "Oh Paul, it's not your fault. Don't worry about the 40-odd-billion-dollar debt." And Paul says: "Oh, it's not your fault, Floyd. It's the bond raters. They're picking on you. Your debt's okay. Your downturn's okay." We have these two brothers of debt, Paul Martin and Floyd Laughren, running around telling each other: "Oh, don't worry. It's okay."

The number two reason why there is tax avoidance, why people don't want to pay their taxes, is because they believe the government is not spending their money properly. So if you would address the obvious imbalance, Mr Treasurer, in the tax levels with other jurisdictions, if you would address your frittering away and your mis-spending—

Interjection.

The Speaker: Order. The member for Durham East.

Mr Harris: —and your mismanagement, if you would address that, you might find taxpayers more willing to pay their taxes.

VISITORS

Mr Murray J. Elston (Bruce): On a point of order, Mr Speaker: As you know, it's not customary for us to introduce people in the gallery at all times but during ministerial statements we have generally allowed the announcement or introduction of members of boards and panels who are newly created. We had that happen again today. About a week ago, we also had the introduction of several people in the gallery who were given awards for volunteer work in recreation.

My concern is, there is nothing wrong with the introduction, but in each case, as has occurred at least in the last half dozen cases, the people who have been introduced and who have received the applause of the Legislative Assembly have been conducted from this assembly before either the Liberals or the Conservatives could reply to the statement which introduced them.

Interjections.

The Speaker (Hon David Warner): Order.

Mr Elston: On a point of order, it would seem that, if they are to be received appropriately in the chamber during the ministerial statements or otherwise, there ought to be equal time for us to extend to them not only our greetings and best wishes on their endeavours, but to set out, from the opposition's point of view, some of the jobs or tasks that will be at hand for them to conduct, as either members of the parents' board, as those people appeared today, or others who are confronted with some very interesting problems that are affecting us in Ontario.

I merely state that, sir, not because I think that you can obviously chain the doors or whatever, but to bring to the attention of all people that if those things are to be done, it would seem to be equitable and reasonable to receive replies from all sides of the chamber before those people are conducted from the House.

The Speaker: To the honourable member for Bruce: While he does not have a point of order, indeed what he brings to the attention of the House is something which I would consider to be a courtesy which should be extended to all members of the House.

We do, from time to time, have special visitors. Ministers take the opportunity to introduce special visitors to the House, and it would seem to be a common courtesy that those on the opposition side should have the same opportunity to greet the special visitors.

Hopefully, the point which he has brought to the attention of the House will be taken seriously by all ministers of the crown.

ORAL QUESTIONS

MACASSA MINE

Mr Steven W. Mahoney (Mississauga West): My question is to the Minister of Labour. The news of the Macassa accident was of course a shock to us all and I appreciate your expression of concern earlier today for the men who are trapped. I know we're all concerned that the miners still underground get out safely and return to their families, and indeed all our prayers are with them today.

Minister, as you yourself have said in the past, particularly when you were on this side of the House, as legislators we have a responsibility to ensure that whenever these accidents occur they are fully and openly investigated. You know there has been a history of accidents at the Macassa mine. My question is, what steps have you taken over the past three years to look at the ongoing problem of rockbursts and their tragic consequences?

Hon Bob Mackenzie (Minister of Labour): The mining industry, as I am fairly certain the member will know, has probably made more progress than many industries in the province of Ontario, and many of the current changes and improvements in health and safety legislation are as a result of the progress made in the mining industry.

When it comes to rockbursts, some mines seem to be more prone to them than others, although even here, the rockburst activity is down in recent years. As to what the final answers may be in terms of rockburst activities, I guess we haven't got all the answers in on that as yet.

Mr Mahoney: In December 1991, you will be aware that a rockburst resulted in one fatality and one critical injury at this mine. In October 1992, a series of rockbursts, at least two, resulted in five minor injuries. Today, we're dealing with another rockburst that hopefully will only result in minor injuries as well, but we've yet to find that out. As a result of that, there have been at least those three rockbursts in that one particular mine.

Minister, it's your fourth year as the Minister of Labour. The problem of rockburst accidents at the Macassa mine and at other mines in Ontario has existed throughout your tenure as minister. As the vociferous and vigilant Labour critic, you singled out rockbursts as a major mine safety problem and it appears you are right. Mining company officials have now said that they will set up a committee to find ways to predict rockbursts so that miners can get out before the bursts occur.

The question is very simple: Why haven't you taken any action whatsoever to deal with this problem? Why have you left it up to the industry to deal with the problem alone? Why didn't you take action before another accident occurred?

Hon Mr Mackenzie: I think the current interest and priority of this ministry, and certainly the miners involved, is trying to get out the miners who are underground and taking care of those who are trapped. That is the priority at this point in time.

Mr Mahoney: We certainly agree that this should be the priority at this point in time. The point is, Minister, that you have not lived up to the very rigorous standards that you yourself set as the critic for the Ministry of Labour.

Hon Bob Rae (Premier): Unbelievable. Oh, you guys stop at nothing.

Mr Mahoney: It seems to upset the Premier some here, Mr Speaker. The questions are directed at the Minister of Labour who is not living up to the standards he's set. It is your job, sir, to ensure that workplaces are safe and that everything possible is done to prevent accidents. Miners and their families need leadership, particularly now.

My question, very direct, is, will you ensure that measures are taken immediately to protect miners at risk, and will you live up to the standards that you yourself called for in the past and find a way to put an end to these tragic accidents?

Hon Mr Mackenzie: I'm not sure there can ever be enough done in terms of health and safety in the workplace, but I want to make it clear that this government has set new standards for health and safety legislation in the province of Ontario and is currently setting standards for the training and certification programs through the Workplace Health and Safety Agency. I am proud of that and we will continue to do what has to be done to protect workers in the workplace.

1420

ONTARIO ECONOMY

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Finance. I understand that today the federal Minister of Finance announced the revised deficit numbers in the \$44-billion to \$46-billion range. The people of Ontario I think would like to know what impact that might have on the provincial budget.

You may recall that about three or four weeks ago I asked you if, when you did your revenue projections, you had taken into account any likely significant changes in the federal government's outlook. At that time, I think you indicated that the revenue shortfall you'd built in was primarily as a result of the shortfall in 1992 income tax. We have heard today an update on the numbers. I gather that the reason for the shortfall was far more than just a 1992 adjustment on income tax.

My question to the Minister of Finance is simply this: Now that you have an indication from the federal government of where its position is, can you indicate to the people of Ontario what if any impact that will have on the province's finances for 1993-94?

Hon Floyd Laughren (Minister of Finance): The member for Scarborough-Agincourt is quite right that the federal Minister of Finance did make a statement today that, as he put it so quaintly, the Conservative deficit for 1993-94 will be substantially over what had been anticipated and what the former Minister of Finance and Prime Minister had indicated.

I think the member for Scarborough-Agincourt asks a good question. The numbers that he is talking about now are for the 1993-94 fiscal year, which ends on March 31, 1994. I have no way of knowing at this point to what extent there would be any impact on this province's revenues. We have already taken into consideration the 1992 settlements and there won't be any substantial further settlement on income tax returns for the balance of this year.

But as I indicated previously, there are still two major sources of revenue that are somewhat open to question: our retail sales taxes because of the Christmas shopping period and the corporate income taxes which are reported later in this fiscal year. At this point in time I see no reason to revise any of our projected numbers.

Mr Phillips: I gather as well that you're meeting over the next two days and that part of the discussions there will be around the capital program, the infrastructure program, I gather, based on the release you put out today.

My question is this: I know that in your update on the finances for the first six months, one way that you reduced expenditures was to reduce the capital expenditures by about \$300 million, so the capital expenditures for this year, 1993-94, have been cut by about \$300 million. It's about \$300 million lower than it was a couple of years ago.

I gather that in the infrastructure discussions you will be discussing a matching program with the federal government that, according to the numbers I've seen, would be about \$300 million. Is it your expectation that at these meetings you will reach some determination on infrastructure, and is it likely that we will see the \$300 million that you've cut put back in as your share of the infrastructure program?

Hon Mr Laughren: First of all, I would be very surprised if there's any kind of detailed discussion at the meetings the next two days concerning the specifics of the infrastructure program. Secondly, he's quite right when he talks about our projected decrease in capital expenditures this year. That'll happen largely because of projects coming in at a lower bid than we'd anticipated and some inevitable delays, as there always are with some projects. It's hard to predict which ones are going to be slower coming in or which ones are going to be coming in under projected numbers.

I want to reassure the member for Scarborough-Agincourt that it's not because we have reduced our commitment to capital programs in this province. Nothing could be further from the truth, because we really do believe that the future competitiveness of this province is at least partly because of our commitment to capital expenditures.

Mr Phillips: As I said earlier, I think the people of

Ontario are anxious to get a fairly clear view of what the likely impact will be on the finances. The second document to come out today was your economic document, where on virtually every indicator the 1993 economy is substantially weaker than you had planned in your budget of six months ago.

Housing starts are down by about 25% of what you'd thought they'd be. Retail sales tax growth is down about 25% from what you'd expected. The gross domestic product is about 60% of what you'd expected. That, in your Economic Outlook for 1993, combined with the federal numbers, in many people's mind would suggest that there is a need to relook at the financial outlook for the province.

For the first time, I gather, you've had from the federal government a clearer view of what its finances will be. Will you undertake to provide for the Legislature, before we adjourn for Christmas, as a result of your meetings over the next two days and as a result of your just-released Economic Outlook, an update on the finances of the province so that we have a clear view of how you see the finances impacted by those two new events that weren't there three weeks ago when you released the second-quarter results?

Hon Mr Laughren: I do not believe that, first of all, we'll have any more information a week from now than we have right now. Mr Martin has indicated to me that he wants to have this meeting, being new at the job, to listen to the concerns of all the provinces at this first meeting before he would announce any kind of specific changes in any kind of relationship with the provinces. So I would be very surprised if I could give the member for Scarborough-Agincourt any more or any new information as a result of the meeting with the federal Minister of Finance and my other provincial colleagues than I could give him right now or than he already has in the six-month finances of the province or from the provincial financial outlook that was released today.

LEGAL AID

Mr Michael D. Harris (Nipissing): My question is for the Attorney General. Many, including me, were appalled yesterday to read in the Toronto Star that you threatened to hold legal aid funding to ransom if the Law Society of Upper Canada rejected your plans for a government-run legal clinic.

Minister, this \$840,000 pet project of yours would only service people with legal aid certificates and would only be staffed by government lawyers. In response to your threats, the members of the legal aid committee expressed grave concerns that you were using budgetary manipulation over an issue of principle, a principle it seemed only you shared. Some would go so far as to call this extortion. What do you call it, Minister?

Hon Marion Boyd (Attorney General): I confess I was quite surprised at the article the member refers to as well. I certainly met with the Ontario legal aid advisory committee to discuss the report of the design committee. The design committee had recommended two of the options that were brought forward. The Ministry of the Attorney General had I think for some time prior to my appointment as Attorney General been wanting, if we

were going to test any models in this area, to test a third model that would allow us to compare the cost-effectiveness and the consumer effectiveness of a staff clinic model which is used in many other provinces to the judicare system.

I certainly did indicate to the committee that we were supportive of the two models that had come forward from the design committee, but we would want to add the third model in order to have the thorough test of all those different ways of offering legal aid assistance, so I'm not clear on why that was considered to be a threat by some of those who were present.

1430

Mr Harris: I have a copy of the report that I am releasing today that was put before the Law Society of Upper Canada last Friday. When you read the copy of the report, surprise about the article in the paper disappears because page 4 of this report says, "The Attorney General left a clear impression that a lack of cooperation by the legal aid committee would result in negative implications in the consideration by treasury board of the legal aid committee budget for the current and next fiscal years."

Minister, clearly you have used precious tax dollars as a bargaining chip to gain support for your pet project. If that isn't abuse of power, I don't know what is. Will you offer a public apology to the law society for your actions and withdraw the blackmail threat that you have put before it in that report?

Hon Mrs Boyd: I in no way threatened or offered blackmail to the law society and I am sorry that impression may have been one that was left with the committee, but it was certainly not my intention nor was it any of the ministry staff's recollection of what had gone on.

At that meeting we discussed the various issues that had come forward, for, I might add, a period of three years, around the cost of legal aid, per-unit costs as well as per-hour costs of legal aid in Ontario as compared to the rest of the provinces and the very clear desire that has been expressed by treasury board ever since we got into office to examine other ways of offering legal aid services, to ensure that there is access to the justice system for all who require it and yet to limit the enormous growth in costs in legal aid that we have experienced in this province. We were discussing the real issues in terms of cost sharing with the federal government around legal aid costs and our obligation as a government to try other ways to offer accessible legal services. I do not consider that a threat at all.

Mr Harris: On November 2, in response to a question by the member for Willowdale, you said that there should be, and I now quote you, "an arm's-length relationship between access to the justice system through legal aid and the political arm of government."

You, Attorney General, are the political arm of government. I would ask you two things. Number one, would you not agree, given the report that I am releasing today that was before the benchers, that you have violated that arm's-length relationship by bargaining with funding for legal aid to further your own political agenda? Secondly, if you do not agree with that, will you stand in your

place today and publicly tell all, that if the \$860,000 pet project—the government lawyer clinic—is not in any proposal put forward, that in no way will jeopardize funding for legal aid in this province this year or in future years?

Hon Mrs Boyd: The issue that we have as a province and the issue we have continued to have since we got into government, and one assumes for many years prior to that, is that there is a growing cost to providing adequate and effective legal aid to all those who are eligible and require it in the province. We have been working in partnership, because we are in partnership, with the Law Society of Upper Canada on the Ontario legal aid committee—

Mr Charles Harnick (Willowdale): When it's convenient, it's arm's length.

The Speaker (Hon David Warner): The member for Willowdale.

Hon Mrs Boyd: —to try and find ways in which we can provide those services in a more cost-effective way and a way that is more effective for the clients. The design committee was a joint committee. The Ontario legal aid committee is a joint committee. I do not regard myself as having in any way politically interfered in that process. We have said in response to the report of the committee that we are prepared to do that if they are prepared to try our option.

It is interesting that the clinic proposal that was rejected by the law society was one which we were very, very happy to concur in and to recommend to the law society. So I do not see in any way that we have interfered with the law society's ability to act independently in terms of rejecting that part of the proposal.

ONTARIO HYDRO

Mr Michael D. Harris (Nipissing): On Wednesday I asked the Minister of Environment and Energy to confirm recent speculation that Ontario Hydro may in whole or in part privatize. The minister said he had no plans, or something to that effect, to privatize all or part of Ontario Hydro.

The Speaker (Hon David Warner): To whom is your question directed?

Mr Harris: My question then is to the Premier, because that may be that he had no plans. However, Premier, given statements that you have made over the last number of months, given statements that we have seen come forward by Mr Strong, it would appear that both you and he have plans. Given those comments, when can we expect an announcement on the privatization of Ontario Hydro?

Hon Bob Rae (Premier): There will be no such statement made by me, and I can only tell the honourable member that the Minister of Environment and Energy was speaking for me in the answers that he gave to the honourable member last week.

Mr Harris: Certainly the quotes you give to the media, the quotes we see in the press and the quotes that we hear from Maurice Strong are suggesting something very, very different, and there is a growing fear out there that you are eyeing fire-saling parts of Ontario Hydro as

a means of helping your Treasurer out of your financial mess—that's the fears, that's what we're hearing, that's what a number of people in the financial community are telling us—instead of looking at Ontario Hydro in a logical, long-term way.

I would ask you this then, Premier: Before you play with the fate of Ontario Hydro's supply, would you agree with me that Ontarians deserve a full accounting of the utility's financial and operating conditions and will you give us that commitment today: no sale of all or part of Ontario Hydro without a full public accounting of how much and why?

Hon Mr Rae: For a Tory to lecture this government with respect to the issue of accounting—this is the party whose contribution to the fiscal soundness of this province was to build a nuclear station that was supposed to cost \$3.5 billion and whose total cost is over \$14 billion.

That's the record. It's the same record. Between Kim and Mike, that's a \$22-billion-plus gift to the people of Ontario and to the people of Canada. The Tory party should never be able to rise in its place again and lecture a soul on the subject of Ontario Hydro, fiscal soundness or anything else. They should hang their head in shame and walk around asking for forgiveness from the people of Ontario and the people of Canada for what they've done to us and the burden that they've left upon those of us, mere mortal souls, who are having to handle the terrible fiscal burdens we've been left by our predecessors.

Mr Harris: Ontario families and businesses depend on a secure and an affordable supply of energy. The province's economic future depends on it. That's why many experts feel any change in the status quo has to be made by experts in the energy and financial communities, not by politicians. Any motivation has to be for the long-term interest of Ontario Hydro, access to it and the cost of it, not for political expediency. The decisions need to be made with all the information available.

Premier, if you're not afraid of that, will you acknowledge today that there is considerable time and effort going into privatizing all or part of Ontario Hydro? Will you open up that discussion to include the real stakeholders, the consumers and the taxpayers, and initiate a full and open public debate before any firm decisions are made?

Hon Mr Rae: I can say to the honourable member he is, as he often is in the House, tilting at a bunch of windmills, rumours, various quotations which he pulls out of the air, and says that he's got hold of something. He's got hold of nothing, which isn't unusual for the leader of the third party. Once again he's struck out three times.

1440

You want an inquiry? Let's do an inquiry into the uranium contracts. Let's do an inquiry into Darlington. And then you stand up in your place and say what needs to be done with Ontario Hydro. You left it a shambles, an absolute shambles, a cost structure that was unaffordable and that had to be dealt with. Maurice Strong has had the courage and tenacity to deal with that a lot more than you ever had to deal with when you were in office.

RECYCLING

Mr Steven Offer (Mississauga North): I have a question to the Minister of Municipal Affairs. I was wondering, Minister, could you please tell the municipalities how the blue box program will be paid for when provincial funding runs out in three months?

Hon Ed Philip (Minister of Municipal Affairs): The funding was clearly outlined in the original blue box program that was announced by the Minister of the Environment. The funding is still there. The Minister of Environment and Energy has answered that question several times in the House.

Mr Offer: The funding for the blue box program runs out in three months. Last April, the government announced a new regulation that would make the blue box mandatory throughout the province. The regulation was scheduled to become law August 1993—last August. The regulation has not been signed into law because your government has been unable to forge a private sector financing agreement that would ensure the continuation of the blue box program.

Minister, in three months the blue box funding program comes to an end. If there is no agreement with the private sector within the next three months, will your government (a) commit to maintaining the funding of the blue box program or (b) instead take the risk of municipalities disbanding their blue box program in the name of budget cuts?

Hon Mr Philip: The previous government started the blue box funding without any kind of guarantee of secure funding. This government, through the Ministry of Environment and Energy, is negotiating actively with the private sector. We expect that those negotiations will be successful.

USE OF METRO TORONTO LAND

Mr Chris Stockwell (Etobicoke West): I would like to ask a question of the Premier. Mr Premier, I go to you because your government very recently made a deal with Metropolitan Toronto. I assumed, and they assumed, that this deal had your stamp of approval.

Sir, on developing the Toronto Islands, you promised Metropolitan Toronto that if it turned over the land on the islands, some 40 acres, you would give to Metropolitan Toronto the psychiatric grounds property in Etobicoke. I know the member for Etobicoke-Lakeshore understands this issue very well. It also says a lot about, when you give your word, whether your word's worth anything.

Mr Premier, I ask you directly. You made the much-ballyhooed announcement about developing the Toronto Islands property and giving Metropolitan Toronto land, the psychiatric grounds in Etobicoke. I have in my hand a letter from Chairman Alan Tonks that says that at the OMB hearing your provincial government lawyers came forward and said that the land that they promised Metropolitan Toronto as part of this swap is now no longer theirs. In fact, part of this land, if not a huge chunk of it, will be given to the Metropolitan Toronto Separate School Board and Metropolitan Toronto will get nothing from the deal that you gave your word on with respect to developing Toronto Islands.

How do you respond to these charges that Mr Tonks makes in his letter suggesting to you that your word is worthless when it comes to making a deal on land swaps and developing property in Metropolitan Toronto?

Hon Bob Rae (Premier): I'll let the Minister of Municipal Affairs answer this.

Hon Ed Philip (Minister of Municipal Affairs): The moment I received the letter from Chairman Tonks, I responded immediately and assured him that the 23 acres of land would be available. I'm sure he'll be quite happy with the response.

Mr Stockwell: How could this happen? How could the lawyers representing the provincial government at the hearing give them information that is absolutely and completely wrong? Your lawyers at the OMB stood up, much to the surprise of Metropolitan Toronto, and said: "This land is no longer yours as promised. We are going to give it to the separate school board." How could this confusion take place? How could you put Metro in a situation of debating this issue at council last time when obviously an error was made?

Who's made the mistake? Your lawyers? Management Board? Who made the mistake? "Metro made the mistake," the minister's saying when his lawyers stood at the OMB and told it that they were going to give part of the land to the separate school board. Metro made the mistake because it heard them say that? I ask you, Mr Minister, how could this have happened?

Hon Mr Philip: We gave an offer to Metropolitan Toronto six months ago. They only responded this week, and that's why are now in this situation. They've had the assurance that 23 acres of land are available. I'm sure that now that they have responded, after six months, they'll be happy with my answer to Chairman Tonks. I'd be happy to supply the correspondence.

SERVICES FOR THE DISABLED

Mr Gary Malkowski (York East): My question is for the Minister of Citizenship. With the recent realignment in your ministry, I have noticed that the office of disability issues has been disbanded and has been incorporated into two different areas: policy and programs. Madam Minister, how is this realignment going to affect services for the disabled? The disabled community has had a place in the ministry that they could come to with their concerns, their suggestions and crises. We're talking about a segment of the population that has difficulty processing information or may have mobility or communication limitations. My question is, do you now expect these people to identify their issue as a program or policy matter, or will they become entrenched in a bureaucratic system that will be unable to serve them expeditiously and with dignity?

Hon Elaine Ziemba (Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations): I thank the member very much for his concern in this issue, particularly because we know this member is a fine advocate for disability issues and has brought the concerns of many individuals to the House and to our legislative process.

The office for disability issues, although it will be done

in a different process, in a different way, will still have a person who will be responsible for disability issues. If an individual would like to call the ministry, they will find a person at the other end of the phone who will be addressing their needs. They will not have to worry about which part of that compartment or department they must address.

In fact, they will probably be getting better service. Not only will the office have somebody in Toronto to answer their questions, but they'll also be able to go to regional offices in our ministry across Ontario in order to get their issues and their concerns responded to and will have better access to government information. This is also to make sure that people with disabilities are completely looked after in all of the ministries across Ontario.

Mr Malkowski: Could you please explain how the funding of community groups will be affected by the realignment? Will this lead to a cutback in access grants and other funding for community services?

Hon Ms Ziemba: The funding arrangements have not been changed at all. In fact, we have just increased the funding for the access fund and it will be extended for the next three years. I don't think the community activists across Ontario will notice the difference in the dollars. What they will notice is that they will have better service in regions across Ontario and that they will have access to the government policies in a much quicker and more efficient way.

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LEGAL AID

Mr Tim Murphy (St George-St David): My question is to the Attorney General regarding the report in the Toronto Star on the weekend about the rejection by the Law Society of Upper Canada of women-only legal clinics. What I want is a fairly simple answer from the Attorney General.

The report that Fran Kiteley presented before convocation said the Attorney General left the clear impression that a lack of cooperation would result in negative implications in consideration by the treasury board of the legal aid budget. Given that it appears that the law society cooperated, can I get the assurance of the Attorney General that there will be no impact on the legal aid budget in this year or following years?

Hon Marion Boyd (Attorney General): What I said to the committee is still a concern for us as a government and, frankly, for the deputy minister's working group that is looking at legal aid costs across the country. There is no question but that that committee, in doing its work and its survey, has found that our per-unit costs as well as our per-case costs in Ontario are higher than in other provinces, particularly provinces that have a wider variety of applications of legal aid services than we do.

I made it clear to the committee that we were committed, and had been committed for some time as a government, to testing out other ways of ensuring that Ontarians have access to legal aid. Seventy per cent of those who use legal aid are women. One of the reasons we were supportive of the design committee's proposal for a women's legal centre was that we wanted to see

how that would work in terms of overall costs for women.

We were prepared to support that, but we were also saying, and had consistently through our joint discussions said, that we needed to have the kind of staffed office model that is used in other provinces in order to compare costs within our jurisdiction to see whether that was a more cost-effective way of ensuring access to legal services.

We made it very clear that we could not in any way guarantee to the committee that despite our support for the women's centre it was bringing forward, it would meet with any kind of approval unless we were prepared to try all three kinds of models in Ontario—

The Speaker (Hon David Warner): Could the minister conclude her response, please.

Hon Mrs Boyd: —so that we could compare costs in the way in which we had been asked to do. We had been resisting the call, frankly, of some of the treasury board staff that we move entirely to a staffed model, because we had not tested this out on a pilot basis.

Mr Murphy: That answer is completely inadequate and does not in any way answer the straightforward question I put. I'm sure the Attorney General will know that she has now forced on the law society something that it, in its own report in December 1991, recommended against. It's a model that is opposed by the Ontario Family Court Judges Association, family lawyers and assaulted women's shelters. She has forced it on by extortion, by saying she'll cut the budget. She has refused to make it clear that it will not be cut. I want to know whether she is going to apologize to the law society for that threat, and if not, will she resign?

Hon Mrs Boyd: I did not threaten to cut the legal aid budget.

Mr Charles Harnick (Willowdale): Are you saying they're not telling the truth?

Hon Mrs Boyd: I don't care what the report said; I didn't write the report.

What I explained to the committee and what I said to that group is the same issue. We are involved in cost-sharing with the federal government and we are involved always in our negotiations with treasury board around the kind of support we will get for the legal aid plan.

What I did say to the group was that despite the best arguments in the world, unless we in Ontario are prepared to try other models to ensure access to legal services, (a) we cannot ensure we will continue to get cost-sharing from the federal government and (b) certainly, despite the best efforts in the world, cannot guarantee that under the current circumstances that we face as a province, particularly if our cost sharing were cut by the Liberal federal government, we would not be able to ensure the current levels of cost. That is not threatening; that is being very clear and very direct with our colleagues about what our problems are in terms of funding this program.

OCCUPATIONAL HEALTH AND SAFETY

Mrs Elizabeth Witmer (Waterloo North): My question is for the Minister of Labour. In a recent memo to staff representatives and local union presidents, Mr

Fred Upshaw, the president of OPSEU and a member of the Workplace Health and Safety Agency board of directors, indicated, "All union-appointed certified members must receive certification training only through the labour-based Workers' Health and Safety Centre and be trained by a union instructor who has been approved by the centre."

Mr Upshaw went on, "Worker-certified members must not be trained or registered through any employer-based safety association such as the IAPA, CUSSCO or COHSA or by any of their approved instructors."

Minister, for weeks I have been telling you that the idea of management-labour cooperation at the WHSA is a joke and that this agency is acting only on behalf of labour. Do you agree with Mr Upshaw that there are labour-based and employer-based health and safety organizations and can you explain what Mr Upshaw means by the use of these terms?

Hon Bob Mackenzie (Minister of Labour): The certification training programs that have been taking place at the agency to date have been extremely successful. Some of the best training programs in the province are through some of the labour organizations. Others exist as well. The concern is getting the workers trained in health and safety and in the certification program, not where they're trained.

Mrs Witmer: Minister, you did not respond to my question. You do not seem to understand that there is a serious problem at the Workplace Health and Safety Agency. You should know that there are not labour-based or employer-based safety organizations but bipartite associations. In fact, the board of Ontario's safety and health association, which Mr Upshaw specifically calls an employer-based safety association, has 16 representatives, eight of them chosen by the employers and eight drawn from unions, whose nominations are approved by the OFL.

Minister, will you direct the WHSA to issue a memo clarifying the right of both labour and employer representatives to obtain training through any of the recognized bipartite health and safety associations?

Hon Mr Mackenzie: Surely the member understands that we have at the Workplace Health and Safety Agency a bipartite board, and that board is working and they have a good training program in place.

ASSISTANCE TO TOBACCO FARMERS

Mr Norm Jamison (Norfolk): I wish to pose a very pertinent question that most certainly will have a direct impact on the farming community in Haldimand-Norfolk, and across this province, for that matter.

The farmers in the Haldimand-Norfolk area who are looking to move away from tobacco production to alternative crops raise a common issue. That common issue is that we as a government have encouraged them to seek alternatives but in a great way failed to provide the ability for them to be covered under the present crop insurance program.

I know this program is under review, and I know it's an important review to all those people who work in farm and rural Ontario.

My question is, will the minister give the cash-strapped farm producers of the region the coverage in insurance that is needed to make the transition from tobacco, or one product to another? This deals directly with the whole question of alternative crops.

Hon Elmer Buchanan (Minister of Agriculture and Food): First of all, let me state that as a minister we support the extension of crop insurance to alternative crops.

However, having said that, the mandate of the Crop Insurance Commission of Ontario is to work with producers to arrive at a plan that is acceptable to the farmers and to the federal government under the terms of our federal-provincial agreement. What is necessary is that producers of a particular crop come together and approach the crop insurance commission and work with the commission to develop a plan.

This is not a situation where there's a plan on the shelf that you can take off and apply for that particular crop. You have to work with the producers, and you need more than one producer, obviously, to have a plan. We have encouraged the commission and we would encourage the farmers to work together to develop plans for any of the alternative crops they have in mind and that they have been producing for one or more years.

Mr Jamison: My supplemental question really delves into a different area, but one area that again is very, very important to the wellbeing and long-term stability of the farm community. I know my government has also been working towards a national farm income safety net program. Can the minister update this House on the recent steps taken in this very important direction?

Hon Mr Buchanan: We can certainly confirm for the member that we now have agreements to have NISA, the net income stabilization account, extended to all commodities except for livestock and the supply-management commodities. This is good news to a number of the smaller commodities, and I know this is good news for the tobacco farmers in the member's riding, who have been quite interested for a number of years to have NISA coverage for their crop.

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Beyond that, I would make note of the fact that my federal counterpart said in Alberta on the weekend that he wants to review all of the safety net programs. I'm not sure what that means as yet. I look forward to meeting with the federal minister, and other ministers, to see what his ideas are. However, we remain committed to a whole farm safety net program that will cover all commodities and provide some safety net insurance for not only the member's farmers but all the other farmers in the province of Ontario.

CHILDREN'S SERVICES

Mr Murray J. Elston (Bruce): I have a question for the member for Dovercourt. Both myself and the member for Grey-Owen Sound were at an emergency meeting dealing with children's services just recently. There's real concern among the people providing services in our area concerning how they are going to meet the needs of the children who are in need of their services and of the

parents who require the services for children. We were advised that they are even now looking at ways of cutting and slashing or, as some of the government people would tell them, streamlining their services.

I have just received a letter from the children's aid society of Bruce county that indicates that they have been required, and of course they are under law required, to send two people to a week-long course for the health and safety committee workers.

I would like the Minister of Community and Social Services to advise me what special steps he is going to take to ensure that the \$1,500 or more that is required by the Bruce county children's aid to send its two staff people for certification course work for a week-long course work period isn't taken away from actually delivering services to the children in need in our county.

Hon Tony Silipo (Minister of Community and Social Services): I think, as the member would know, that the decision from an agency about where it's going to fund services and make provision for staff to attend health and safety meetings and instructions is very much one of the areas and responsibilities that societies have.

I believe what the member is asking about is really the broader issue of funding to children's services. I can tell him that certainly as a result of various discussions we've had with agencies, we have reduced the expenditure control plan reduction for this year to the children's services area to \$3.4 million from the \$8.9 million that was originally set, and we are working with agencies to address some of the problems that they've identified exist in the sector. In fact, I had a meeting with representatives from a variety of agencies just last week and we are going to continue our discussions to see what more we need to do and what more we can do.

Mr Elston: As a result of the social contract and other things, there have been cutbacks all the way through children's services in this province: discussions around copayments, user fees to parents who probably can't afford to go through the trauma of dealing with problems in their families, let alone the trauma of financial hardship.

Now these people are being required by the government that the minister goes out and advertises good things for to pay \$535 each for each person to attend this week-long course. They're going to have to pay for transportation, for accommodation and other costs. It will cost the society in Bruce county over \$1,500 to send these two people for this certification program.

They're already cutting back the way they have traditionally served the needs of the children in Bruce county. I want this minister to guarantee to me, and through me to my constituents and also to people right through the province, that this \$1,500 that the Bruce county people will have to find will not impact unfairly and negatively upon the services for children in my county, and I want him—listen, what is this? What is that? Are you bowing to me or what?

Interjections.

The Speaker (Hon David Warner): Could the member place his question, please.

Mr Elston: Mr Speaker, I have taken considerably less than the previous questioner has on this. I want the member for Dovercourt to tell us how he is going to make sure that the services that children are receiving in Bruce county are not more negatively affected than he has already hurt them. How are the children in Bruce county going to be prevented from taking on another hit when you require the \$1,500 to be taken from the county services in order that a certification program be attended?

Hon Mr Silipo: I think the member knows this would not be the first \$1,500 that any agency has had to spend on health and safety concerns. I think he would also accept the fact that good health and safety practices, in the end, end up saving money for all concerned, because it's important for workers in the system to also know that they are applying the very best in terms of health and safety procedures, and that continues to be very much the process.

I think on the broader issue of funding, we continue to work and will continue to work with the agencies to address the problems that exist. I don't want to get into a berating approach, but I think I should also remind the member opposite that his own leader not too long ago was advocating that we could deal with the whole funding problem by simply taking more dollars out of government expenditures. Where does he think taking more dollars out of government expenditures would come from, \$2 billion more in fact?

We are trying to manage a very difficult situation. I can say to the member opposite that in this area, the government has been very sensitive to the needs that exist in children's service agencies. We continue to work with those agencies to deal with the problems that exist there and we will continue to do that.

PROPERTY ASSESSMENT

Mr David Johnson (Don Mills): My question is to the Minister of Municipal Affairs. This year in Metropolitan Toronto, 1993, there were 120,000 property assessment appeals. This was against a system that's 50 years old, so out of date it's unfair. Mr Minister, I know you agree with me when we recognize the tragedy of thousands of people who are caught in the crossfire, who have had their assessments appealed by a neighbouring municipality.

Earlier you rejected a motion by the Metropolitan Toronto council for an updated assessment. Recently you have rejected another Metropolitan Toronto request for equalized assessment. Mr Minister, we know what you don't like. What the people of Metropolitan Toronto and the municipalities of Metropolitan Toronto want to know is, what are you going to do? You've stalled. It's too late for 1994. How long are you going to duck this issue?

Hon Ed Philip (Minister of Municipal Affairs): We didn't stall. We agreed that the original proposal was not acceptable for a variety of reasons, which my predecessor, Mr Cooke, outlined. Clearly, it would have had tremendously adverse economic impacts on business and on transportation, not just in Toronto but in the whole greater Toronto area, which is the economic hub of Ontario.

Clearly, we didn't stall. Our staff cooperated with Metro Toronto in its latest study. They came back with a study this late in the year. It had no economic impact data attached to it, as we had requested. They came in a couple of weeks before the Fair Tax Commission is about to report. It would seem prudent at this point in time to see what proposals the Fair Tax Commission reports.

Indeed, my letter and my conversation with Mr Tonks said that we would be happy to work with him and Metro to try to resolve some of the problems. Certainly, Halton has been able to reach a fair compromise that everyone in that area, all tiers, accepts. We're hoping that Metro Toronto will come up with a similar, satisfactory solution.

Mr David Johnson: Metropolitan Toronto has been working on this issue for a number of years and has put two proposals before the minister. The minister has rejected both of those proposals. The minister says he's happy to work with Metropolitan Toronto, but I'm seeing this happiness to work go on year after year after year and what we're not seeing is any particular solution.

Mr Minister, you mentioned the Fair Tax Commission. The working group report on property tax for the Fair Tax Commission reported one year ago in a report dated December 1992. You've had that information from the working group for a whole year. How much longer do you need?

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That report recommends deleting welfare from the property tax system. It recommends reducing the education cost from the property tax system. My question to you is: Since you've had that report for a year, do you intend to reduce the burden of welfare and education from the property tax system? Do you have any plan at all to deal with this or are you going to continue to stall?

Hon Mr Philip: The report he refers to which was made public about a year ago is only a working group report. The Fair Tax Commission will report around December 15. We look forward to having that report.

Maybe the honourable member would like to share with us: Do he and his party support the proposal that was tabled by Chairman Tonks? Is he for it or against it? I haven't heard any word from his party in that regard. I'd be happy to know what his views are on this.

FERRY SERVICE FEES

Mr Gary Wilson (Kingston and The Islands): My question is for the Minister of Transportation. It regards the proposed introduction of ferry fees for Wolfe Island and the increase of fees on Amherst and Howe Islands. As I've told you, Mr Minister, I appreciate your appointment of Mr Brooke McNabb to consult with islanders on a new fare structure for January 1, 1994, and to recommend fees that are both fair and reasonable. Could you please tell me the status of these consultations and when we can expect action arising from this process?

Hon Gilles Pouliot (Minister of Transportation): The question is insightful indeed, for it involves the very ferry policy of the province of Ontario. Historically, the good citizens of Wolfe Island have not shared in the fare policy system across the province of Ontario where we have fully some 17 different endeavours. In the great

majority of cases, people are paying a small fare. It doesn't come close to meeting the need to reconcile the bottom line, first vis-à-vis the cost of building the ships and then the cost of operation.

I met last week with Mr McNabb. After public consultation, he's presented me with his first preliminary report. What we intend to do simply is to be fair and equitable and consistent in our approach.

Mr Gary Wilson: As I've mentioned in a previous question to you, Minister, the economic impact on working families is going to be substantial, especially at a time when most families are already struggling. I remind you that islanders must go to the mainland for most of their shopping, all of their health and dental care and for high school, sports and other activities. Mr Minister, how are you responding to these concerns?

Hon Mr Pouliot: Again, we must be consistent. We must achieve consistency in the system. This is the very reason why I appointed Mr McNabb: to go and find out, by way of consultation at first hand, to talk and listen to the people of Wolfe Island and see how different they are than other circumstances. We must take that into consideration.

Candidly, there will be no increase in the coming months, because we want to go to the bottom of this. But we have to be consistent. If you go to Kingston, for instance, and hop on public transit, you have to pay a fee because public transit costs money. The province will keep on subsidizing 100% of the capital costs, the costs of building the ferry system, and we will keep on subsidizing the major portion of operating. However, there will be a small fee.

ONTARIO HOME OWNERSHIP SAVINGS PLAN

Mr Carman McClelland (Brampton North): My question today is for the Minister of Housing, if I could have her attention for a moment. Minister, I want to ask you a question about the Ontario home ownership savings plan. Certainly the Treasurer has indicated that he is looking at it, that he recognizes that there is some significant value with respect to the plan, and has indicated that he's reviewing it.

You will know that the plan is scheduled to terminate at the end of this calendar year. As Minister of Housing, we would like to know what your position is with respect to the continuation of the Ontario home ownership savings plan and what efforts you're extending through the offices of your portfolio to see the extension of this plan on behalf of the people of Ontario and also, I might add, for those involved in the real estate industry as well, as they see it very much as an effective tool for getting people into the housing market.

Hon Evelyn Gigantes (Minister of Housing): The member is correct in saying that the program has involved a lot of interest from home buyers over the last few years. The degree of that interest has been such that over the years in which it has been in existence, the cost in terms of government revenues has been around \$200 million, and we can expect that those costs would rise next year as a result of the fact that we will see more people ready to purchase with their home ownership

investments by next year. So it is an expensive program, it's a program that creates benefits, it has significant costs and it's on that basis that members of the Ministry of Housing staff are discussing the issues involved with the Ministry of Finance.

MOTIONS

PRIVATE MEMBER'S PUBLIC BUSINESS

Hon Brian A. Charlton (Government House Leader): There are three matters I wish to deal with coming out of the House leaders' discussions over the last couple of days. The first is that I believe we have agreement and therefore I seek consent to waive notice on private member's ballot item number 42, standing in the name of Mr Wilson, the member for Simcoe West. This refers to private member's motion number 35, which was tabled after the appropriate time, so we're seeking consent for waiving notice.

The Speaker (Hon David Warner): Do we have unanimous agreement to waive consent? Agreed.

EXTENDED HOURS OF MEETING

Hon Brian A. Charlton (Government House Leader): Secondly, I believe we have consent to sit past 6 of the clock this evening to deal with the matters that are set out in the orders of the day, up to and including Bill 51.

The Speaker (Hon David Warner): A motion to sit beyond 6 of the clock. Agreed.

CONSIDERATION OF BILL 51

Hon Brian A. Charlton (Government House Leader): Lastly, I believe we also have agreement that the order for third reading of Bill 51, An Act respecting the Restructuring of the County of Simcoe, be discharged and the bill be referred to the committee of the whole House.

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry? Carried.

PETITIONS

WASTE MANAGEMENT

Mr Ron Eddy (Brant-Haldimand): I have a petition to the Legislative Assembly of Ontario:

"Whereas the Ministry of Environment mandates that all municipalities (whether upper- or lower-tier) which require to expand or relocate municipal sanitary landfill sites, must conduct a waste management environmental assessment study; and

"Whereas it is the policy of the Ministry of Environment to assist in funding these studies at the upper-tier level of local government only; and

"Whereas of the 830 municipalities in Ontario, only 39 are upper-tier municipalities organized at the regional or county level;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the Ministry of Environment to cease this discriminatory policy and give funding assistance to all municipalities that are required to conduct a waste management environmental assessment study, and that this funding be made retroactive where applicable."

It's signed by members of my constituency and I have affixed my signature.

TUITION FEES

Mr Mike Cooper (Kitchener-Wilmot): I have a petition to the Legislative Assembly of Ontario:

"Whereas those wishing to go to colleges and universities in Ontario must pay tuition fees; and

"Whereas tuition fees have increased by 96.7% since 1981; and

"Whereas education is a right and should not only be limited to those who can pay; and

"Whereas increasing tuition fees would further restrict the ability of low-income youth from attending colleges and universities;

"We, the undersigned, as citizens of the province of Ontario, petition the Legislative Assembly of Ontario as follows:

"We ask that the Ontario government ensure post-secondary tuition levels do not exceed the current levels, and that when feasible the province look at enacting measures which make post-secondary education more accessible to those with low incomes."

It's signed by numerous students within our community.

1520

WASTE MANAGEMENT

Mr Gregory S. Sorbara (York Centre): Mr Speaker, you'll be aware of the extent of anger and frustration of the people of York region on the question of landfills and Bill 143. I have a petition addressed to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the NDP government seems determined to proceed with its ill-conceived proposal for a megadump in the city of Vaughan; and

"Whereas the residents of the city of Vaughan will not tolerate a second megadump within its borders and will fight against this proposal with all the legitimate means at its disposal;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario and the NDP government to repeal Bill 143 and put into place waste management policies based on the evaluation of all available waste management technologies and on the principle of locating a waste management facility on a willing host community."

These petitions are signed by some 829 residents of my riding. There will be several thousand more to come. I'm affixing my signature to these today.

PICKERING AIRPORT LAND

Mr Jim Wiseman (Durham West): "To the Legislature of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government's sale plan;

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate a

public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents there.

This is becoming even more pressing as on December 1 the appraisal process begins, and once begun, 97 families could be evicted within the very near future and there would be no recourse.

This is signed by people from all over southern Ontario and I affix my signature in the hope that the new Liberal government will show some compassion—

The Speaker (Hon David Warner): Order.

Mr Wiseman: —and deal with this problem.

The Speaker: Order. The member knows better.

TAXATION

Mr James J. Bradley (St Catharines): My petition is not about the sale of provincial lands in the same area; it's about something else.

"To the Legislative Assembly:

"We, the undersigned, petition the government of Ontario that,

"Whereas the government of Ontario has introduced over \$3 billion in new taxes; and

"Whereas the government has continued to mismanage the economy; and

"Whereas new taxes will only further hurt businesses in Ontario;

"The government of Ontario should cancel any new tax initiatives and place more emphasis on reducing wasteful spending."

I affix my signature to this.

PARAMEDIC SERVICES

Mr Donald Abel (Wentworth North): I have a petition signed by about 4,200 names which I'm presenting on behalf of my colleague the member for Brantford. Many people in Brantford and the surrounding area, including people from my riding and in Dundas, Ancaster and Lynden, have signed this petition to the Legislative Assembly in support of their ambulance workers and it reads as follows:

"I agree with Brant county's ambulance officers that there should be one provincial paramedic service. Implement the emergency medical review now."

EMPLOYMENT EQUITY

Mr John C. Cleary (Cornwall): I have a petition to the Parliament of Ontario which reads as follows:

"Whereas Bill 79 unfairly discriminates against members of Caucasian race and is unfairly prejudicial to males; and

"Whereas Bill 79 is unjustified and oppressive interference with free enterprise and freedom of opportunity and has a divisive influence on the workplaces and communities of Ontario;

"Therefore, we, the undersigned residents of Ontario, petition the Parliament of Ontario to withdraw or defeat Bill 79 and to cease from further encroachment on the human rights and freedom of opportunity of the residents of Ontario."

There are more than 800 signatures on this petition, and I have affixed my signature to this.

SEXUAL ORIENTATION

Mrs Karen Haslam (Perth): To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Bill 55 will make it illegal, with fines of up to \$50,000, for people to make any public statement, written or oral, which ridicules, demeans or discriminates against a person on the grounds of sexual orientation, still undefined. This is a grave threat to free speech in a democratic society.

"Bill 55 is also an attack on freedom of religion, against historical Christianity, which does not condone homosexuality.

"We want to maintain our basic right to disagree with homosexuality, which in no way should be equated with hatred.

"We have moved away from a position where some homosexuals and other special-interest groups are no longer content to express their ideas, but are demanding that contrary views be suppressed with stiff penalties.

"At the same time, these special-interest groups will be allowed to teach their controversial alternative lifestyles to youngsters in the classrooms, thereby proselytizing children with their viewpoints without allowing for differing opinion.

"Therefore, we request that the House refrain from passing Bill 55."

MEMBERS' PENSIONS

Mr Larry O'Connor (Durham-York): I've got a petition here:

"We, the undersigned Canadian taxpayers, are pleading for the assent of the proposed bills to reform the politicians' pension plan.

"MPPs must act responsibly and align their pensions more realistically with the private sector. Double-dipping, severance pay after voluntary resignation and collecting of pensions before age 55 must cease.

"We will not support candidates who are more concerned with furthering their own personal financial interests than protecting the interests of the average taxpayer and the security and the wellbeing of the nation."

I guess they've got a real concern here and I'll sign it in support.

AESTHETICIANS

Mrs Irene Mathysen (Middlesex): I have a petition signed by a number of aestheticians from the London area who ask the Legislative Assembly to regulate the practice of aesthetics in the province of Ontario since it involves health and safety with many of their clients, that the training be standardized, that the government of Ontario require aestheticians to complete diploma courses from accredited training facilities and that a licensing structure be put in place and be administered by the appropriate Ontario ministry.

I have signed my name to this petition.

SEXUAL ORIENTATION

Mr Randy R. Hope (Chatham-Kent): I have a petition put together by the First Baptist Church in the town of Wallaceburg. There are two that were inserted with this letter that is addressed to me, and both petitions are addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. One is against Bill 45 and the other is against Bill 55. I present them on behalf of my constituents.

GAMBLING

Mr Donald Abel (Wentworth North): I have a petition here addressed to the Legislative Assembly of Ontario. It reads:

"We, the undersigned, petition the Legislative Assembly of Ontario that the government immediately cease all moves to establish gambling casinos and refrain from introducing video lottery terminals in the province of Ontario."

I present this on behalf of my colleague the member for Hamilton Centre.

SEXUAL ORIENTATION

Mr Mike Cooper (Kitchener-Wilmot): I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Bill 45 will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex.' This will redefine the family as we know it.

"We believe that there will be an enormous negative impact on our society, both morally and economically, over the long term if fundamental institutions such as marriage are redefined to accommodate homosexual special-interest groups.

"We believe in freedom from discrimination, which is enjoyed by everyone by law now. But since the words 'sexual orientation' have not been defined in the Ontario Human Rights Code and therefore could include sado-masochism, paedophilia, bestiality etc, and since sexual orientation is elevated to the same level as morally neutral characteristics of race, religion, age and sex, we believe all references to sexual orientation should be removed from the Ontario Human Rights Code and Bill 45.

"Therefore, we request that the House refrain from passing Bill 45."

I'll also be tabling a petition, as will the member for Perth, on Bill 55.

Mrs Karen Haslam (Perth): This is regarding Bill 45:

"Bill 45 will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex.' This will redefine the family as we know it.

"We believe that there will be an enormous negative impact on our society, both morally and economically, over the long term if fundamental institutions such as marriage are redefined to accommodate homosexual special-interest groups.

"We believe in freedom from discrimination, which is enjoyed by everyone by law now. But since the words 'sexual orientation' have not been defined in the Ontario Human Rights Code, it may include sado-masochism, paedophilia, bestiality etc, and since sexual orientation is elevated to the same level as morally neutral characteristics of race, religion, age and sex, we believe all such reference should be removed from the code.

"Therefore, we request that the House refrain from passing Bill 45."

1530

TUITION FEES

Mr Randy R. Hope (Chatham-Kent): I have a petition that's addressed to the Legislative Assembly of Ontario:

"Whereas those wishing to go to college and university in Ontario must pay tuition fees; and

"Whereas tuition fees have increased by 96.7% since 1981; and

"Whereas education is a right and should not only be limited to those who can pay; and

"Whereas the increase of tuition fees would further restrict accessibility of low-income youth from attending colleges or universities;

"We, the undersigned, the citizens of the province of Ontario, petition the Legislative Assembly of Ontario as follows:

"We ask that the Ontario government ensure that post-secondary tuition levels not exceed the current level and that the province look at the feasibility of enacting measures which make post-secondary education more accessible to those with lower income."

I affix my signature to it.

ONTARIO FILM REVIEW BOARD

Mrs Margaret Marland (Mississauga South): I have a petition to the Legislative Assembly of Ontario, which reads as follows:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the Ontario Film Review Board at its May 6, 1993, policy committee meeting decided to loosen the guidelines for films and videos for Ontario; and

"Whereas the loosening will result in permitting some very gross and indecent acts in films and videos; and

"Whereas these acts include bondage, ejaculation on the face and insertion of foreign objects; and

"Whereas the aforementioned acts are not in any way part of true human sexual activity, but rather belong in textbooks for case studies of deviance; and

"Whereas these activities not only violate community standards but parts of the Canadian Criminal Code;

"We, the undersigned, your petitioners, humbly pray and call upon the Ontario Legislature to cancel a new policy resolution of the Ontario Film Review Board and dismiss the chairperson, Dorothy Christian, from her position for her lack of sensitivity towards Ontarians and for being more dedicated to represent special-interest groups than the taxpayers of Ontario."

I am happy to lend my support to this petition.

HOUSING

Mr Donald Abel (Wentworth North): I'd like to present this petition on behalf of my colleague from Etobicoke-Lakeshore. It is a petition from the tenants of 98 and 100 Cavell Avenue regarding mixed housing.

INTRODUCTION OF BILLS

Hon Floyd Laughren (Minister of Finance): I am tabling for first reading an act to amend the revenue enforcement statute law. This act contains provisions outlined in the 1993 budget to improve compliance with Ontario's tax statutes and collection of provincial taxes. They include standardized penalties for late-filed returns and non-payment, daily compound interest on taxes owing and refunds, and registered liens on real and personal property of taxpayers who are in arrears of payment. As well, the bill contains specific provisions relating to the taxes on fuel, gasoline, land transfers, mining activities and tobacco.

Interjection: You have to move the bill.

Hon Mr Laughren: I move that leave be given to introduce a bill entitled An Act to provide for Administrative and Enforcement Changes to various Taxation Statutes administered by the Minister of Finance and that it be now read for the first time. I realize I spoke out of turn there, Mr Speaker.

REVENUE ENFORCEMENT STATUTE LAW AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT DIVERSES LOIS FISCALES EN CE QUI CONCERNE LEUR EXÉCUTION

On motion by Mr Laughren, the following bill was given first reading:

Bill 127, An Act to provide for Administrative and Enforcement Changes to various Taxation Statutes administered by the Minister of Finance / Projet de loi 127, Loi modifiant diverses lois fiscales appliquées par le ministère des Finances en ce qui concerne leur administration et leur exécution.

The Deputy Speaker (Mr Gilles E. Morin): Minister, do you wish to make another statement?

Hon Floyd Laughren (Minister of Finance): I think, Mr Speaker, that the comments I made a few moments ago, which violated the process, nevertheless did reflect what it was I would say at this time.

UKRAINIAN PEOPLE'S HOME IN PRESTON ACT, 1993

On motion by Mr Cooper, the following bill was given first reading:

Bill Pr73, An Act to revive Ukrainian People's Home in Preston.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

ORDERS OF THE DAY

House in committee of the whole.

ONTARIO CASINO CORPORATION ACT, 1993

LOI DE 1993 SUR LA SOCIÉTÉ DES CASINOS DE L'ONTARIO

Consideration of Bill 8, An Act to provide for the control of casinos through the establishment of the

Ontario Casino Corporation and to provide for certain other matters related to casinos / Projet de loi 8, Loi prévoyant la réglementation des casinos par la création de la Société des casinos de l'Ontario et traitant de certaines autres questions relatives aux casinos.

The Chair (Mr Gilles E. Morin): Before we start, let me read the following:

"All amendments proposed to the bill shall be filed with the Clerk of the Assembly by 3:30 pm on the sessional day on which the bill is considered in committee of the whole House following passage of this motion.

"Any divisions required during clause-by-clause consideration of the bill in committee of the whole House shall be deferred until 5 pm on this sessional day.

"At 5 pm on this sessional day, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee of the whole House shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto and report the bill to the House.

"Any divisions required shall be deferred until all remaining questions have been put, the members called in once, and all deferred divisions taken in succession."

The last time we were in committee of the whole debating this issue, we were dealing with section 6.1.

1540

Mr Ernie L. Eves (Parry Sound): On a point of order, Mr Chairman: Could I ask whether the government has in fact tabled amendments to subsection 19(2), subsection 19(4) and a new section 19.1?

The Chair: Yes, it has.

Mr Eves: In that event then, I would like to move that those three amendments in particular are out of order. The reasons for so doing I shall try to enunciate as clearly and as succinctly as I can; however, it may be somewhat lengthy.

First of all, the amendment that the government has moved to subsection 19(2) in effect ends up amending or deleting or doing away with a section of the Expropriations Act of the province of Ontario, namely, subsection 10(2).

Similarly, the amendment that the government has moved with respect to subsection 19(4) purports to do away with, for the purposes of this act, section 17, section 34 and section 38 of the Planning Act of Ontario.

The new section 19.1 purports to do away with any official plan that may be filed under section 17 of the Planning Act, any zoning bylaw passed under section 34 of the Planning Act and any interim control bylaw which may have been passed under section 38 of the Planning Act of Ontario.

I would like to read from both Beauchesne and Erskine May with respect to amendments not being able to amend a statute that is not before the House or the committee, and also with respect to amendments which purport to go beyond the scope of the bill that we are debating in committee of the whole at this time.

I would refer you, sir, to Beauchesne, the sixth edition,

at page 207, under section 698, which speaks to the admissibility of amendments in committee. "An amendment which is out of order on any of the following grounds cannot be put from the chair." It goes on to say in the very first subsection, "(1) An amendment is out of order if it is irrelevant to the bill, beyond its scope or governed by or dependent upon amendments already negated." I would submit to you, Mr Chair, that indeed these amendments are beyond the scope of the bill before the committee of the whole this afternoon. I would also submit to you that it is irrelevant to the bill.

I will talk about what is or is not relevant to the bill by referring to Erskine May. I refer you to the 21st edition, at page 486 and again at page 491, talking about the functions of a committee on a bill. I will just read in part because I don't want to read the entire section on functions of a committee on a bill.

"(2) The objects of a bill are stated in its long title, which should cover everything contained in the bill, as introduced (see page 467)." That was the beginning of subsection (2).

"(3) An amendment which is outside the 'scope' (as described on page 491) of the bill is out of order and cannot be entertained, unless an instruction has been given by the House to the committee."

Turning to page 491, which we just were referred to, inadmissible amendments, "(1) An amendment is out of order if it is irrelevant to the subject matter or beyond the scope of the bill, or if it is irrelevant to the subject matter or beyond the scope of the clause under consideration."

I would also like to refer you, Mr Chair, first of all to the bill itself, because I think we've just read in Erskine May that if an amendment is not covered by the long title of the bill, it is beyond the scope of the bill. The title for this bill, Bill 8, is An Act to provide for the control of casinos through the establishment of the Ontario Casino Corporation and to provide for certain other matters related to casinos. That's it. That's the long title to the bill.

Interjection: It says "other matters."

Mr Eves: "Other matters related to casinos," plural. We heard that over there, did we?

Section 19 of the bill, which the government is purporting to amend, and a new section 19.1 which the government is purporting to introduce, have their own separate part in the bill. It's a very short part, because it consists of only section 19, which in its original form consisted of subsections (1), (2) and (3).

Section 19 says, "Part II: City of Windsor: Casino Area." The whole purpose of section 19 in the bill as originally drafted was to define the casino area by describing the boundaries within the city of Windsor, which are included, or define the casino area, which is what subsection (1) is all about.

Subsection (2) talks about market value, saying that it "shall be determined as of the 1st day of January, 1993."

Subsection (3) talks about redevelopment powers that the city of Windsor can be given with the approval of the Minister of Municipal Affairs, dealing with the constructing, selling, leasing or otherwise disposing of buildings and land appurtenant to them, and selling, leasing or

otherwise disposing of part of the casino area to any other person or government authority.

Nowhere in section 19 or that part of the bill does it refer to the Expropriations Act of Ontario, as the bill was originally drafted. Nowhere in section 19 or that part of the bill does it refer to the Planning Act of Ontario, as the bill was originally drafted.

I would submit to you, sir, that indeed these amendments that the government has now come forward with purporting to dispense with sections in the Expropriations Act and to dispense with sections of the Planning Act are beyond the scope of this bill. They're beyond the long-form title of the bill, and therefore inadmissible and out of order.

I would also like to refer you to some rulings that have been made, both in the Ontario Legislature and, in particular, in the Parliament of Canada on similar matters; rulings, if you'll bear with me, of several Speakers as well as Chairs of committee of the whole House.

One example I'd like to point you to, Mr Chair, is the Chairman of committee of the whole House on December 12, 1983, with respect to an amendment to Bill 111, which was the Public Sector Prices and Compensation Review Act. The ruling there by the Chair of the committee of the whole of the day was that amendments were ruled out of order. I quote the ruling as follows:

"In his amendment before us he refers us to the Health Insurance Act and the Ontario Energy Board Act....The motion presented by the member...refers to two separate acts that are not before this House in Bill 111. I therefore cannot accept it as an admissible amendment."

I would submit to you, sir, that is exactly the situation that we have here. Nowhere in Bill 8 does it refer to the Expropriations Act, as the bill was originally drafted and submitted in its original form. Nowhere does Bill 8 refer to the Planning Act of Ontario, as it was originally drafted. That is exactly what happened in the Ontario Legislature committee of whole on December 12, 1983, and those were ruled out of order.

I would also like to refer you, Mr Chair, to several rulings of Speaker Jerome and Speaker Lamoureux in the House of Commons in Ottawa on similar matters. There are plenty for Speaker Lamoureux; I will refer to a few of them.

I will refer to one of Speaker Jerome on March 5, 1976. That was consideration of Bill C-61, An Act to provide for a maritime code for Canada. A point of order was raised by Mr Forrestall, the member for Dartmouth-Halifax East, seeking the decision of the Acting Speaker, Mr Turner, on the acceptability of a particular motion, an amendment which had the effect, which this does, of amending another statute, the Arctic Waters Pollution Prevention Act. The amendment was ruled by the Speaker to go beyond the scope of the bill. I refer you to decisions of Speaker Jerome, page 108, 1983 publication.

I would also refer you to decisions of Speaker Lamoureux on several other matters with respect to similar circumstances. One is a ruling of June 27, 1966. This was consideration in committee of the whole House, again a similar situation, Bill C-211, An Act to authorize the

Minister of Finance to transfer to the Provinces a proportion of the income tax payable by certain public utility companies. Mr Barnett proposed that the clause be amended to impose conditions on the allocations of funds under the bill.

1550

The Deputy Chairman ruled the motion out of order because it went beyond the principle of the bill and introduced a new and irrelevant provision. The decision was appealed to the Speaker, who ruled as soon as the report was made. The decision was upheld. The amendment was out of order because it would create an entirely new principle that goes beyond the terms of the clause under consideration and of the bill as expressed in the resolution.

Another ruling published in Speaker Lamoureux on November 30, 1966, again committee of the whole House on a bill, C-227, An Act to authorize the payment of contributions by Canada towards the cost of insured medical care services...: There was an amendment moved to the definition of "medical practitioner." The issue as determined in the publication was, is an amendment acceptable if it changes a definition, thereby extending the scope of the bill?

This amendment was also ruled inadmissible because it is not permissible to do indirectly what the rules will not allow to be done directly. The scope of insured medical services is limited by the resolution. To propose to amend the definition of "medical practitioner" would be to extend in fact the scope of insured medical services.

Again, this is what this government is doing with respect to these amendments, I'm submitting to you, Mr Chair. What they are purporting to do is amend the Expropriations Act and the Planning Act of Ontario or dispense with them or suspend those particular sections because it suits the purposes of this bill, but the purposes of this bill, both in its long form and in its original form, I would submit to you, do not include the Expropriations Act of Ontario and cannot affect any section in that act, I'm submitting to you, nor do they include the Planning Act of Ontario, and they cannot affect the Planning Act of Ontario, I am submitting to you, by way of amendment.

If they wanted to do that, it should have been in the original bill and it should have been very clear, but they did not do that and I think it's too late for them to come now and try to backhandedly amend in effect the Expropriations Act of Ontario and the Planning Act of Ontario.

Another precedent: January 17, 1967, again committee of the whole House, Bill C-231, An Act to define and implement a national transportation policy for Canada...: There was to be a proposed amendment to a clause in that bill. The member introducing it sought to have included in the bill provisions for the compensation of employees who suffer financial loss as a result of any change, alteration or deviation in the railway.

Again, it was ruled that the amendment may not be put. The Chair of the whole committee heard arguments for both sides of the issue. In his view, the amendment as proposed is beyond the purport of the clause and also of the bill.

I would like to refer you to a decision again, on March 28, 1969, in the House of Commons, the report stage in consideration of Bill C-102, An Act to amend the Patent Act, the Trade Marks Act and the Food and Drugs Act: A motion in amendment was proposed by Mr Saltsman of Waterloo, to permit hospital pharmacies to provide narcotics and controlled drugs on prescription under the Food and Drugs Act and the Narcotic Control Act.

Again, this amendment was ruled out of order and could not be put. It was said that the proposed motion and amendment was inconsistent in form and content with the clause it purports to amend.

Another ruling on March 28, 1969, the same bill, Bill C-102. I'm not going to read them all in their entirety because you can read them at your leisure, Mr Chair.

April 16, 1969: Bill C-150, An Act to amend the Criminal Code, the Parole Act... "Consideration was given to a motion, an amendment standing in the name of Mr Gilbert from Broadview to prohibit..." blah, blah, blah, blah, blah. I'm not going to read all of these, because I'm going to take up too much of your time.

I think I've made my point and I think the point is that an amendment cannot purport to do anything that was not included in the original scope and intent of the original bill. Here, in effect what the government is trying to do is purporting to suspend sections of the Expropriations Act of Ontario and sections of the Planning Act of Ontario through the casino act of Ontario, one having nothing to do with the others.

The first two acts I mentioned, the Expropriations Act and the Planning Act, were never referred to in the original draft of Bill 8. Bill 8, in the long form of the bill, the title of the bill, certainly does not include talking about anything relating to the Expropriations Act or the Planning Act. In fact, as I pointed out, the original drafting of section 19 nowhere refers to the Expropriations Act of Ontario and nowhere refers to the Planning Act of Ontario. If it had, the government might have a logical argument, but it didn't and the government, I would submit to you, Mr Chair, doesn't have a logical argument.

The amendments they're now purporting to move should be moved to the Expropriations Act of Ontario, should be moved to the Planning Act of Ontario. The government is trying to do something that is beyond the scope of the bill. Therefore, I would submit to you that the three amendments I have referred to, subsections 19(2) and 19(4) and their new section 19.1, are out of order on that basis.

I can provide you with more precedents for similar amendments: Another one on April 25, 1969, in Lamoureux, a very similar thing. "By attempting to repeal a section or subsection of the Criminal Code, which is not presently before the House, these motions and amendments constitute a new legislative proposal."

Again, similarly here, what the government is trying to do is introduce a new legislative proposal by way of these amendments. Really, we all know what the logic behind these amendments or the rationale for the government putting them forward is. I don't want to go into

that; I don't think that's at debate here.

But I think that if you will refer to the precedents that I have referred you to, both in the House of Commons and the Ontario Legislature, and Beauchesne and Erskine May, you will see that indeed these amendments as proposed by the government are beyond the scope and the intent of this piece of legislation, sir.

Mr Carman McClelland (Brampton North): At the outset I want to acknowledge the fact that the member for Parry Sound had the courtesy to advise me as critic that he would be bringing forth these particular matters as a point of order to challenge the appropriateness of the amendments in question.

I first of all congratulate the member for a very well-thought-out and extremely well-researched presentation to you, and the points I think that he made bear no amplifications. I will simply say that I would trust that you, Mr Chair, as you always do, would look at them very, very carefully and consider the argument strictly on its merits. I think that having heard and had an opportunity to reflect on them, they are very substantive indeed, and I ask you to give them your utmost and very careful consideration.

I would simply add one point for your consideration. As you look at those particular amendments, I think it appropriate to look at the sections in the Expropriations Act and the Planning Act, both of those acts, that the proposed amendments seek to change. I think upon doing so you will see on first blush that they are not merely what one might term housekeeping matters but rather are very, very substantive elements of those particular pieces of legislation, namely, the Expropriations Act and the Planning Act.

Inasmuch as the title of the bill, as indicated by the member for Parry Sound, refers to "matters related to casinos," it does not extend to the specific elements of the Expropriations Act and the Planning Act, which are very substantive and very significant pieces of legislation. These particular sections are also very substantive and essential, I think one could argue, to the application and efficacy of the two acts in question.

As you consider the points, as I again say, very well researched, and I commend the member for that, and the staff who assisted him in so doing, that you would also look at the acts that it seeks to amend, having regard to the significance and the import of the sections to those acts in question. I think that would only seek to amplify and add weight to the arguments put by my friend the member for Parry Sound.

1600

Mr Murray J. Elston (Bruce): Sir, it seems to me that when you are looking at the point raised by my friend from Parry Sound and also spoken to by my friend the member for Brampton North, you should ask a question around the act as to whether or not the sections dealing with the Planning Act and the Expropriations Act are fundamentally necessary to carry out the act of operating a casino. The question is not whether or not there are difficulties around the expropriation and the planning in order to put a facility in place; it has to be

the question of whether or not operating a casino is affected by the changes that are being asked for in front of you.

One of the questions certainly that came to my mind was why, in this particular circumstance, the ministry, the government of the day, would be willing to override all the legislation and the judicial interpretation around expropriation in this one small clause in this one particular bill. It seems to me, sir, that when you are looking at undoing legal rights, legal remedies, the way is not to do it in a bill as a tangential part of another proceeding, but by bringing that bill forward and actually addressing the circumstances of the particular bill and the legal rights and remedies which are being dispensed with.

In this case, I think if you look at that you will find that the Expropriations Act does not hinder the government from operating a casino. It may hinder them from getting the casino and the land at a price which they want to have it at. It may in fact backdate things so that time periods run in a more favourable manner for the government. But the principles of expropriation and of the Planning Act are not to allow proponents favourable timing; they are to provide a set of circumstances of relief for them when the government steps in to take away land.

It seems to me therefore that if you narrowly choose to look at this act as a casino act and the ability to operate a casino, then you should sever from that the legal rights and remedies which must be and ought to be dealt with under a separate piece of legislation that the government should bring here in front of us.

It is for me a marvellous revelation of how this government would propose to override all legal authority, all legal remedies and all legal rights of a citizen of this province just for the purposes of speeding up the operation of a gambling centre in one community in our province. If they're prepared to do that, sir, it seems to me that we should be into a different debate altogether around who is going to be left with any rights if you are prepared to stand up and confront the government of the day that certain things should happen, ie, that certain prices should be paid for your land and certain applications should be made under due process.

I thank you for your indulgence but think that you could easily sever from this bill the portions on the Expropriations Act and Planning Act and still have the government authorized to carry on the business and duties that are required to operate a gambling facility in this province.

Mr Norman W. Sterling (Carleton): I heard with interest the member for Parry Sound's arguments vis-à-vis whether or not certain sections were in order for the government to bring forward at this time. I wanted to bring to the Chair's attention that during the hearings on Bill 110, which was the compendium bill dealing with the advocacy and consent legislation, the government, during the committee hearings, attempted to put forward several amendments dealing with different acts.

I think it's interesting to note as well, if you follow the line of argument which the member for Parry Sound put forward, that the general long title of Bill 110 is An Act

to amend certain Statutes of Ontario consequent upon the enactment of the Consent to Treatment Act, 1991, and the Substitute Decisions Act, 1991.

What the government attempted to do late in the day after second reading in the standing committee on justice of this Legislature was to put forward an amendment to amend the Marriage Act, which was deemed by them to be of interest to them. I objected at that time that it was out of order because it did not have any direct relationship with Bill 110. The Chair of the justice committee did deem the government amendment out of order at that time. They also, I believe, disallowed amendments to Bill 110 by the government dealing with the Mental Health Act.

I think what is significant in what the Chair decided in the justice committee is that the long title of this bill is very generic. In other words, if the Chair or the Speaker of this House was looking for an excuse to include a section of a bill, it would have been under Bill 110.

My view is that this House has already agreed, or has set the precedent through the Chair of our justice committee, that there will be a strict application of this rule against the government introducing, late in the day, amendments dealing with different pieces of legislation, different statutes that are out of order. Therefore, I urge you to apply the strict rule that the Chair of the justice committee did in terms of disallowing the government to introduce amendments to the bill which are not necessary for the general purpose as stated in the long title of that bill.

Hon Brian A. Charlton (Government House Leader): The House leader of the third party and the House leader of the opposition party, but specifically, the House leader of the third party made a long and I think—

Mr Elston: Persuasive.

Hon Mr Charlton: —not necessarily persuasive but fairly eloquent intervention on this point of order. It seems to me that he's essentially questioning whether or not the amendments are within the scope of the intent of the bill. I would suggest to you that in fact the amendments are.

The purpose of the bill is very clearly to establish a casino corporation and to enable the setting up of a casino. The amendments are specifically related to those matters.

In that respect, there have been some comments, although I unfortunately didn't hear them all, because I had to leave for a few moments, about amendments to other pieces of legislation. It is clear that we are not attempting, in this legislation, to amend the other pieces of legislation. We are simply proceeding to exempt certain sections of that legislation through this legislation. That's a practice that this House has dealt with on a number of other occasions, on a number of other pieces of legislation and—

Mr Elston: An exemption is an amendment to the application of a statute.

Hon Mr Charlton: The intent of our amendments is to simply exempt a particular project from a particular part of a piece of legislation, not to amend the legislation

itself. It is clear that from that perspective, the amendments we've brought forward are amendments around which there are a number of precedents in the history of this place which have been passed in legislation that we've debated here over the course of the time I've been here, and the opposite as well. In that respect, from my perspective, these amendments are fully in order.

1610

Mrs Margaret Marland (Mississauga South): I just want to support the concern that is being expressed here, particularly elegantly and persuasively, I think, by the member for Parry Sound. Obviously, if you're going to make an exemption in a piece of legislation which is already drafted, you are in fact amending that legislation. The very act of exemption is making a change or an amendment to that legislation. I think that point is very clear.

Mr Noel Duignan (Halton North): Again, in opposition to this point of order, Mr Chairman, I draw the attention of the Chair to the fact that when you read the act itself, An Act to provide for the control of casinos through the establishment of the Ontario Casino Corporation and to provide for certain other matters related to casinos, and if you look under section 4 of the bill, clause 4(c) provides for the operation of casinos. Indeed, if you look under section 19 of the bill, it defines the area in relation to the land area in Windsor and also talks about the market value of any land.

I also want to talk about section 19.1 and the purpose of this particular amendment. This section defines the interim casino area as the legal description of the Windsor art gallery location. It also provides for proper zoning for a casino in that area in the same manner as for the casino area.

It also provides that the minister responsible for the administration of the Ontario Casino Corporation Act can set a final date for the zoning exemption for the interim casino area; that is, when the permanent casino opens, if the minister passes a regulation which specifies the date, the interim casino area would no longer be properly zoned for a casino.

I believe this amendment does not amend the Planning Act. Indeed, if you look under subsection 19(2), this amendment clarifies that, for the purpose of expropriation, the value of land in the casino area will be the value at January 1, 1993. That's already part of the bill. Subsection 10(2) of that act again sets out three possible dates for evaluation. In any event, in evaluating land under this act, no account can be taken of any special use to which the authority will put the land.

Under subsection 19(4), the purpose of this amendment is to provide for proper zoning for a casino in a casino area. This is done by making a casino a permitted land use, as long as regulatory requirements, if any, of the minister responsible for the administration of the Ontario Casino Corporation Act are met. Windsor's zoning bylaw for this area is so specific as to exclude the gaming area of casinos as a permitted use. Again, this amendment does not amend the Planning Act.

I believe these amendments do not amend either the

Planning Act or the Expropriations Act. They simply hold these sections in abeyance, as is done in many bills that have been passed by this assembly. I believe these amendments give effect to the purpose of the bill as set out in the title.

Mr Eves: If I could say just briefly, in response to comments made both by the government House leader and the parliamentary assistant, I appreciate the subtle difference, I suppose, but the net effect, as was ruled by Speaker Jerome in Ottawa, of amending this statute is amending a different statute.

I said during my remarks that had the government in its initial draft of Bill 8 referred to the Expropriations Act and the Planning Act of Ontario and had a section that said "Notwithstanding this section," or, "Notwithstanding that section," in the original bill, or had they been referred to in the long title of the bill, I would quite agree the amendments they are now moving would be within the scope and jurisdiction of the bill. But not having done that, to come along at the 11th hour and say, "Oh, gee, we forgot that this section of this act might affect us, and this section of that act, and we didn't do our homework very well, so now we're going to try to slip this under the door instead of having it done properly in the first place," that's basically what this discussion is about.

I think both Beauchesne and Erskine May are quite clear on this point. We've given you two precedents in the Legislature of Ontario and numerous precedents in the House of Commons in Ottawa. I would submit to you again that these amendments are, for the reasons stated, beyond the scope of this bill, and I think that you have no choice, unfortunately, but to rule them out of order and inadmissible.

Mr Duignan: With due respect to the honourable member for Parry Sound, the third party's House leader—and again, I must pay compliments to your well-researched, as they usually are, points of order. However, I believe this particular point of order is not in order because I believe the title of the bill and the purpose of the bill is to establish a casino operation and the enabling of the setting up of a casino. I believe the amendments are clearly relevant to and within the scope of that act. We are not trying to amend either the Planning Act or the Expropriations Act.

The Chair: Any further questions or comments?

If you are agreeable, perhaps what we could do is to keep on doing what we've started already while we do our research on both sections, the issues that you've raised, and we will have an answer for you in the immediate future. Are you agreeable to that?

Mr Eves: I would prefer, if you need some time, that you take it now, because as I understand it, at least from this side of the Legislature, these amendments are the really contentious amendments that the opposition parties have had problems with. We did not have an opportunity to debate them in committee because the government chose not to pose them in committee because they didn't have the numbers sufficient to carry the amendments in committee. This is the first opportunity we have to talk about these particular amendments.

I would submit to you, sir, that if you need time, you take five or 10 minutes now and adjourn the committee of the whole to make such a decision. Otherwise, we're going to be at a loss as to whether or not we're debating amendments that are out of order.

Mr Duignan: Maybe we could agree to a 10-minute recess of the House so you can do your necessary research into the point of order.

The Chair: If everybody agrees with that, then we will recess for 10 minutes. But I must remind you what I read. We are limited in time. But if this is what you require, this is what you ask of me, I'll do it.

Mr McClelland: I'm in agreement, as is my House leader, I think, as indicated; I think I see him nodding agreement. The member for Parry Sound is entirely correct. The substantive issues for debate today turn on these matters. There are some other amendments I would like to have a moment to reflect upon, but I think the most contentious and substantive issues for discussion are related to these, so perhaps it would be advisable that you take a moment and give us your ruling.

Mr Duignan: Our side is well aware of the fact there is a time allocation motion on the committee of the whole, but if the opposition choose to waste their time on this type of point of order, that's their decision.

The Chair: So are we all agreed that we will have a 10-minute recess? Agreed.

The House recessed from 1619 to 1630.

The Chair: I want to thank the member for Parry Sound for bringing this matter to my attention, and the other members also who commented on this matter.

Let me begin by clarifying that the amendments in question do not in fact seek to amend either the Expropriations Act or the Planning Act. The effect of these amendments is to exempt this act, Bill 8, from certain provisions contained in the Expropriations Act and the Planning Act. It is not in fact unusual for one act to contain within itself a provision by which it exempts itself from some other acts.

The ruling the member cites from December 12, 1983, is one which specifically addresses an attempt, by way of an amendment, to amend the Health Insurance Act, which is not open in the bill under consideration and is not applicable to this case.

As to the argument that these amendments are beyond the scope because the subject of them is not referred to in the long title of the bill, I submit that the words "and to provide for certain other matters related to casinos," along with the reference in the bill to the acquisition of land and land use, are broad enough to include these amendments within the scope of the bill.

I therefore find that these amendments are not beyond the scope of the bill and are in order.

Mr Eves: I appreciate the reasons you've given for your decision. Suffice it to say that I certainly disagree with the second reason you gave, especially with respect to the broad title of the bill and the wording of section 19 itself.

I really do feel that this is a very important matter and

I wish to appeal your ruling under standing order 100(b) to the Speaker of the Legislative Assembly.

The Chair: If you don't object, we'll wait for a couple of minutes. The Speaker is on his way to the House, so we'll just wait patiently.

Mr Speaker, I made a ruling on certain amendments that were brought to the bill. My ruling has been appealed.

The Speaker (Hon David Warner): I thank the Chair of committee. I wonder if I could prevail upon the member for Parry Sound and then the member for Bruce to briefly describe to me their concern about the ruling by the Chair.

Mr Eves: I'm not going to go through, nor would you probably let me go through, all the precedents that I quoted earlier. However, suffice it to say that originally this afternoon in committee of the whole I quoted initially the principle from Beauchesne and Erskine May with respect to amendments going beyond the scope of a bill or a piece of legislation.

Beauchesne, in paragraph 698: "An amendment is out of order if it is irrelevant to the bill, beyond its scope or governed by or dependent upon amendments already negated."

I'm submitting that the three amendments I referred to, they being government amendments to the casino bill, Bill 8—subsections 19(2) and (4) and a new section that they're purporting to introduce, section 19.1—go beyond the scope of Bill 8, the casino bill, because they have the effect of suspending or doing away with the operation of sections of other pieces of legislation.

With respect to 19(2), the amendment, which is very brief, is:

"I move that subsection 19(2) of the bill be amended by adding 'Despite subsection 10(2) of the Expropriations Act' at the beginning."

Similarly, subsection 19(4): This is a new subsection that's being purported to be added to section 19 of the bill. It starts off:

"Despite any official plan adopted under section 17 of the Planning Act, any zoning bylaw passed under section 34 of that act or any interim control bylaw passed under section 38 of that act, the operation of a casino" etc.

Similarly, section 19.1 basically does the same thing. Subsection (2) says, "Despite any official plan adopted under section 19 of the Planning Act"—the same language I just went through.

Also, I referred to Erskine May, which I thought was fairly important, because it talks about the scope of a bill and it talks about the objects of a bill at page 486. It goes on to say, "The objects of a bill are stated in its long title, which should cover everything contained in the bill, as introduced (see page 467)."

I also referred the Chair of the committee of the whole House to page 491 of Erskine May, where it says: "An amendment is out of order if it is irrelevant to the subject matter or beyond the scope of the bill" etc.

1640

In ruling just now, the Chair of the whole House

basically—and I'm not going to go through all the precedents I cited, because I presume you have those at your disposal; I'm trying to sum up what he said in my own language. I think he basically said that for the following two reasons he found these amendments to be in order.

Number one, the amendments do not purport to actually amend another piece of legislation. They in effect have the effect of saying "notwithstanding" or "despite" a section of another bill, but they do not directly amend another piece of legislation. That's a reasonable argument. The other reason he gave, though, I cannot concur with, with all due respect to him, and that is why I have appealed his ruling to you.

The other reason he gave was that he felt the casino bill, Bill 8, whose long title is not very long—An Act to provide for the control of casinos through the establishment of the Ontario Casino Corporation and to provide for certain other matters related to casinos; that's the long title of the bill. He thought that title was broad enough in its scope to include dispensing with or suspending sections of the Expropriations Act of Ontario and sections of the Planning Act of Ontario.

I also during my remarks, when I introduced this point of order in the first place, read virtually in its entirety section 19 of the bill, which is the separate part of the bill. It is very short. Nowhere in section 19 as originally drafted, subsections (1), (2) or (3), is the Planning Act of Ontario even mentioned or is the Expropriations Act of Ontario even mentioned. Basically, all section 19 does is define by street name the area which is the casino area in subsection (1). It talks about the market value of the property being established as of January 1 in subsection (2). In subsection (3), it talks about what the city of Windsor could do if it has the approval of the Minister of Municipal Affairs with respect to selling, disposing or otherwise dealing with the land in question. Basically, that's what it does.

From my point of view, I think if you read that broad title to 100 people on the street, you'd be stretching a point to have anybody agree that it includes the Expropriations Act of Ontario and it includes the Planning Act of Ontario. During the course of arguments that were posed during committee of the whole, both the government House leader and the parliamentary assistant who has carriage of this particular piece of legislation made points with respect to the fact that, "Well, you have to deal with the Planning Act and you have to deal with the Expropriations Act."

I would submit to them that if in fact the original draft of the bill in section 19 had stated or alluded to or mentioned the Planning Act of Ontario and the Expropriations Act of Ontario, I think they would have a very valid point indeed and I don't think I even would have made the point of order in the first place. However, I don't think that any reasonable person can conclude from reading the long title to this bill, Bill 8, that it automatically includes the Expropriations Act of Ontario or dispensing with a certain section therein, or the Planning Act of Ontario and dispensing with three sections of that legislation therein.

As a matter of fact, knowing the factual background to why we have these amendments before us I think even further strengthens my argument. It wasn't until the city of Windsor went to the Ontario government and said, "Hey, we have a lawsuit going on here; our council says the only way we can be assured that we're going to be able to do this by the time we want to do it is for you to pass a piece of legislation that does away with the sections we don't like in the Planning Act and does away with the sections we don't like in the Expropriations Act."

It was never the intent of the draftsman of this bill to do any of those things when this bill was submitted, and I'm submitting to you that for that reason alone it is beyond the scope of the legislation. None of it was ever intended. It was never contemplated that this legislation would have any effect whatsoever on the Expropriations Act or the Planning Act of Ontario.

Only when it was found that there were four sections, three in the Planning Act and one in the Expropriations Act, which proved somewhat inconvenient to the city of Windsor to get its interim casino and its permanent casino up and running when it wanted them running, and only after they made that case to the province of Ontario and the government of Ontario decided to take up that cause on behalf of the city, did they then go back and seek to do, by amending Bill 8, what I would submit should have been done by another piece of legislation.

I would submit that the three amendments I have talked about are out of order and inadmissible because it's beyond the scope of the bill for the reasons I have mentioned both here and in committee of the whole.

Mr Elston: I concur in the comments made by the member for Parry Sound, but I move quickly now to the reasons that were cited by the Chairman of committee of the whole.

He had made the ruling because he said the Expropriations Act has not been amended by the intended amendments which are before the Legislative Assembly as we deal with Bill 8. If in fact we were to turn to the Expropriations Act, you will see that it applies to every case where a legislative authority takes land against the interests of the land owner and specifies certain times at which that land value is to be computed, the amounts of money that are at stake and how you would compute the value of the land that is to be taken for the purposes of the statutory body if it was not normally used, in this case, as a casino.

What the legislation purports to do by amendment actually restricts the application of the Expropriations Act. That means in this case there is no application of the Expropriations Act, that in fact the sections which tell you about how you determine value no longer exist. The exemption, therefore, is an amendment of the Expropriations Act. It limits it.

In fact, if you take a look at the Expropriations Act as it was originally set out, here is subsection 2(1) of the Expropriations Act,

"Despite any general or special act, where land is expropriated or injurious affection is caused by a statu-

tory authority, this act applies."

That means that in this act, in all circumstances where a statutory authority takes land, these are the rules and the laws of the province of Ontario.

In the first reading of Bill 8, the sections about which we are talking now in committee of the whole were not even contemplated. I think only the section which dealt with January 1 as the evaluation date was then enumerated among the 19 subsections.

But here we have a general limiting of the application of the Expropriations Act, and on that ground alone I raised issue with the Chairman. I understand what he may be thinking, and it's actually, I guess, contrary to the advice I offered, making a decision that, "Well, we understand that in order to get this casino thing up and operating, maybe we'll have to throw the Expropriations Act out the window."

That is not, in my view, an appropriate amendment of the Expropriations Act. If the Expropriations Act was not to apply to circumstances where a city wants to set up a gambling casino, then this act probably would have talked about that. It didn't say, however: "Where there are special needs of a legislative body, we will allow them an exemption. If it's going to cost them too much to expropriate under the act, we'll give them an exemption, or if it's going to take more time than they think they have to do amendments under the Planning Act, then we'll exempt them from the Planning Act." It doesn't give us that leeway. The Expropriations Act says clearly, "Despite any general or special act," this applies.

That is why the legislation has been requested after the introduction of the casinos act. It is not only an amendment of the Expropriations Act to say that it no longer applies in this circumstance to this public taking of this land; it is setting it up so that the citizens of Ontario must indeed wonder, if in fact Ontario Hydro wants land, then maybe it will do something special and go to the Legislative Assembly and say, "We're going to throw out all the things under the Power Corporation Act that we're allowed to give people the result that they want."

I just don't understand how a ruling could be made that the Expropriations Act is not being amended. Its application has been limited. It is, as a result, an amendment to expropriations. It is an intrusion on the way in which expropriations will be considered in the future.

1650

It is, if one particular place in our province can come to the Legislative Assembly and say, "This is inconvenient for us, to go through expropriations," the throwing away of the traditional way and the legal way of dealing with a dislocation of one of our citizens. It is as well, taking into consideration all of the judicial authorities, throwing away all of the interpretations one would normally have to understand if you were going to go through expropriations.

One of the things that is dealt with when you go through expropriations hearings is the very fact that people have to come to the court with clean hands; in other words, in fair dealings. It would seem to me, sir, that under these circumstances it looks like you're

throwing all of that out the window. That's my first point, that in fact we have amended the Expropriations Act, and if you peruse the reasons, or at least the basic words which I think were used during the Chair's ruling, you will see that the indication was that there is no amendment to the Expropriations Act. I disagree.

I think the second reason the Chair ruled that the matters were in order was that he had indicated that the long title was broad enough to deal with the intended amendments, citing the latter portion of the long title, the full title being An Act to provide for the control of casinos through the establishment of the Ontario Casino Corporation and—this was the part upon which we fix our attention—to provide for certain other matters related to casinos.

This is where I had offered some advice earlier, and I can understand that my advice may have been slightly convoluted. But it basically, sir, does not make one iota of difference to the operation of the casino in relation to accepting amendments on the Planning Act and on Expropriations. It does make a difference as to when those casinos get started. It may in fact, if I could ask for somebody who knows a little bit more about it, and I understand this is true, cost some more dollars in getting the casinos operating.

Mr McClelland: Ten million.

Mr Elston: Ten million, I'm advised by my friend from Brampton North. It may in fact, because of the time lines under the Planning Act, require certain steps to go through before the casino can be up and running. But the bill itself does not say, "This is a bill to provide for the early and less expensive operation of casinos in Ontario." In fact, if you take a look at this particular legislation, it is unlikely that there will be, and in fact there can't be, another time when section 19 comes into operation when other casinos are established, because it quite clearly says that the value for this particular facility is going to be determined as of January 1, 1993.

I would hope that does not have a general application to the commencement of proceedings to expropriate land for the construction of casinos in other centres around the province. If it were, it would be a very unfortunate set of circumstances indeed, and in fact I can tell you, sir, that this is not intended.

As a result, we have a very, very exclusive set of circumstances, not dealing with the operation of casinos in general in Ontario, but dealing with the commencement of operation of one particular casino, the one on the government's agenda at this time period.

It therefore means, sir, that while you might extend the interpretation to say that those latter phrases which I underscored by emphasis would allow something along the lines of those amendments, it cannot be so determined if they have no application to the general circumstances of this act. In other words, sir, the broad outline of this bill is to operate casinos. It's to provide for the operation of casinos under a corporation set up to do that. But in that way, any amendments which are accepted must therefore have general application to all of the operations of casinos in the province and cannot be exclusively aimed at one of those facilities alone.

That being the case, it is in my view therefore out of order to accept the amendments which would affect so negatively the individual legal rights of one particular land owner in the area of one of the casinos in the province. That is why I'm saying that the general title cannot be used in a way or interpreted in a way that would allow you to accept the amendments as they are proposed.

Those two are my concerns about the ruling. If they were of a more general application—ie, to every facility—if they did not prescribe the application of the Expropriations Act and the Planning Act, if they were not merely for convenience but if they actually said that certain things had to be done so that casinos could operate reasonably, then I think you're okay. In this circumstance, I must disagree with the Chair.

The Speaker: I thank the member for Bruce. I wonder if the member for Halton North has any contribution.

Mr Duignan: Very briefly, Mr Speaker. The member for Parry Sound rose on a point of order, saying that certain government amendments were not germane to the main motion or in fact extended the scope of the act, and tried to point out that these were out of order. In fact, the title and the purpose of the bill are very clear, and that is "to provide for the control of casinos through the establishment of the Ontario Casino Corporation and to provide for certain other matters related to casinos."

Again, these amendments do not amend either the Planning Act or the Expropriations Act; they simply hold these sections in abeyance, as is done in many, many bills that are passed by this assembly. In fact, these amendments give effect to the purpose of the bill as set out in the title.

As the member for Parry Sound, indeed the Tory House leader, has pointed out, and has granted our point regarding the fact, the amendments don't amend the Planning Act. I believe that concession alone should be enough to uphold the ruling of the Chair.

The Speaker: I appreciate the contribution by the member for Bruce, the member for Parry Sound and the member for Halton North. This House stands recessed for five minutes.

The House recessed from 1657 to 1703.

The Speaker: First, I wish to thank those members who participated and contributed for the edification of the Chair, in particular the honourable member for Parry Sound who obviously, especially from the first opportunity, demonstrated that he had done some considerable homework on this particular point and quoted suitable references.

I must find that I sustain the ruling of the Chair and I confirm as well that the amendments do not amend the particular acts, that the title was referred to in the ruling of the Chair. The Chair also referred to certain sections of the bill that refer to both the acquisition of land and to land use, specifically sections 5 and 19. We may resume the chairmanship of the committee.

The Chair: In accordance with the orders of the House, "At 5 pm on this sessional day, those amendments

which have not yet been moved shall be deemed to have been moved and the Chair of the committee of the whole House shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto and report the bill to the House."

I will therefore proceed.

Mr Elston: On a point of order, Mr Chair: Since the motion read that we were to have done that at 5 and since we have not resumed until well after that time, I move that we are no longer able to undertake the business in committee of the whole House, that we are out of order in accordance with the actual terms.

The actual terms were such that, since we were not in committee of the whole House and the terms of the motion are very specific indeed and are to be read verbatim and word by word and interpreted very strictly because they overrule the standing orders which we generally use to govern business in this House, we now cannot proceed to take the votes that you are now purporting to take.

Mr Eves: On the same point of order made by the member for Bruce, Mr Chair: I think he's quite correct in that the time allocation motion, as passed, is quite specific. It says that any divisions required during clause-by-clause consideration of the bill in committee of the whole House shall be deferred until 5 pm on this sessional day.

There doesn't seem to be any room for latitude there; it says 5 pm, period. "At 5 pm on this sessional day, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee of the whole House shall interrupt the proceedings and shall, without further debate or amendment," etc; it goes on and on.

I would submit that the member for Bruce indeed has raised a valid point of order. I don't think it's up to the discretion of the Chair to now do it at 5:10 or at 6:15 or at 11:12 tonight. I think 5 pm says exactly what it means, 5 pm, and we're definitely out of order here. At 5 o'clock, as a matter of fact, the committee of the whole wasn't even sitting.

Mr Duignan: I should point out that our House leader called the business of the day, which was dealing in the committee of the whole with Bill 8. How the opposition chose to debate that two hours or hour and a half remaining in the debate was up to them. They chose a point of order and debated a point of order instead of debating the substance of the bill.

Very clearly, our House leader called the order of the day, the business of the day, which is committee of the whole dealing with Bill 8.

1710

Hon Mr Charlton: Just to make a few additional comments on this point of order, the members opposite have put us through this a couple of times before when motions set a specific time, and then through procedural tactics that time was breached. It's no different than anything else that goes on around here. The time allocation motion which was passed by this House is an order

of this House, and we now need to proceed with the votes that are set out in that time allocation motion which was ordered by the House to occur at this point.

The Chair: Any further comments? Any further questions?

You decided to have points of order, which was in order. I've listened to your points of order. I made a ruling which you appealed. We appealed the ruling to the Speaker. The Speaker made his ruling. I have to follow the orders of the House and this is what I will follow, and I will put every question. This is the order that I have, which I have to follow.

Shall the amendment to section 5.1 by Mr Duignan carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

This is stacked.

Mr Elston: On a point of order, Mr Chair: May we have agreement that where there are ayes and nays, we can agree that the vote will be stacked without having to stand on each point?

The Chair: Is it agreed? Agreed.

Shall section 6.1 by Mr McClelland carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

The vote therefore is stacked.

Before we proceed with sections 7 to 12, there is one here which I neglected to mention. It's subsection 6(9), an amendment presented by Mr McClelland. Shall the amendment carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Shall sections 7 to 12 carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Shall paragraph 13(1)1.1 moved by Mr Eves carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Shall paragraph 13(1)3.1 introduced by Mr Eves carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Shall subsection 13(1) by Mr McClelland carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Shall subsection 13(3), presented by Mr Eves, carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Shall subsection 13(5), introduced by Mr McClelland, carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Shall section 13.1, introduced by Mr Eves, carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Shall sections 14 and 15 carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Shall subsection 16(1), introduced by Mr Eves, carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Shall section 16 carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

The ayes have it.

Shall subsection 18(1b), presented by Mr Eves, carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Shall clause 18(2)(a), introduced by Mr Eves, carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Shall section 18.1, introduced by Mr McClelland, carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Shall subsection 19(1.1), introduced by Mr Duignan, carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Shall subsection 19(2), introduced by Mr Duignan, carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Shall clause 19(3)(a), introduced by Mr Duignan, carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Shall subsection 19(4), introduced by Mr Duignan, carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Shall subsection 19(4), introduced by Mr McClelland, carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Shall section 19.1, introduced by Mr Duignan, carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Shall section 19.1, introduced by Mr Eves, carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

The nays have it.

Shall section 19.2, introduced by Mr Duignan, carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Shall sections 20 to 38 carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Shall section 39, introduced by Mr Duignan, carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Shall section 40 carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Shall the title carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1721 to 1726.

The First Deputy Chair (Ms Margaret H. Harrington): Order. Please take your seats.

All those in favour of section 0.1 to section 5, please rise if you are in favour.

All those opposed to section 0.1 to section 5, please stand and remain standing.

Members please take their seats.

The ayes being 62, the nays being 33, I declare this motion carried.

Interjections.

The First Deputy Chair: Members come to order.

Government motion moved by Mr Duignan for section 5.1. Does this motion carry?

The ayes are 62, the nays are 33. I declare the motion carried.

Moved by Mr Eves, amendment to section 5.1: Shall the motion carry?

The ayes are 33, the nays are 62. I declare the motion lost.

Mr Eves has moved amendment to section 5.1. Same vote?

The ayes being 33, the nays being 62, I declare this motion lost.

Motion 5.2, moved by Mr Eves: Is it the pleasure that the motion carry? Same vote as the one above?

The ayes being 33, the nays being 62, I declare this motion lost.

Mr Eves has moved amendment 5.2(1), (2), (3) and (4). Same vote?

The ayes being 33, the nays being 62, I declare this motion lost.

Mr McClelland has moved amendment to subsection 6(3). Same vote?

The ayes being 33, the nays being 62, I declare this motion lost.

Mr McClelland has moved amendment to subsection 6(9). Same vote?

The ayes being 33, the nays being 62, I declare this motion lost.

Mr McClelland has moved amendment to section 6.1. Same vote?

The ayes being 33, the nays being 62, I declare this motion lost.

Shall sections 6 through 12 carry?

The ayes being 62 and the nays being 33, I declare this motion carried.

Subsection 13(1), Mr Eves, same vote reversed?

The ayes being 33, the nays being 62, I declare this motion lost.

Mr McClelland has moved amendment to subsection 13(1). Same vote?

The ayes being 33, the nays being 62, I declare this motion lost.

Mr Eves had moved amendment to subsection 13(3). Same vote?

The ayes being 33, the nays being 62, I declare this motion lost.

Mr McClelland has moved an amendment to subsection 13(5). Same vote?

The ayes being 33, the nays being 62, I declare this motion lost.

Mr Eves has moved a further amendment to section 13.1. Same vote?

The ayes being 33, the nays being 62, I declare the motion lost.

Sections 14 and 15?

The ayes being 62 and the nays being 33, I declare this motion carried.

Shall sections 13 through 15 carry?

The ayes being 62, the nays being 33, I declare this motion carried.

Mr Eves has moved amendment to subsection 16(1). Same vote reversed?

The ayes being 33, the nays being 62, I declare this motion lost.

Shall sections 16 and 17 carry?

The ayes being 62 and the nays being 33, I declare this motion carried.

1740

Mr Eves has moved an amendment to clause 18(1)(b). Is it the pleasure of the House that the motion carry? The same vote reversed?

The ayes being 33 and the nays being 62, I declare this motion lost.

Mr Eves has moved an amendment to clause 18(2)(a). The same vote?

The ayes being 33 and the nays being 62, I declare this motion lost.

Mr McClelland has moved an amendment to section 18.1. The same vote?

The ayes being 33 and the nays being 62, I declare this motion lost.

Shall section 18 carry? The same vote reversed?

The ayes being 62 and the nays being 33, I declare this motion carried.

Interjections.

The First Deputy Chair: Order. Members, we are getting there. I would ask you to have patience.

Section 19: Mr Duignan has moved an amendment to subsection 19(1.1). Is it the pleasure of the House that the motion carry? The same vote?

The ayes being 62 and the nays being 33, I declare this motion carried.

Mr Duignan has further moved an amendment to subsection 19(2). The same vote?

The ayes being 62 and the nays being 33, I declare this motion carried.

Mr Duignan has moved an amendment to clause 19(3)(a). The same vote?

The ayes being 62 and the nays being 33, I declare this motion carried.

Mr Duignan has moved an amendment to subsection 19(4). The same vote?

The ayes being 62 and the nays being 33, I declare this motion carried.

Mr McClelland has moved an amendment to subsection 19(4). The same vote reversed?

The ayes being 33 and the nays being 62, I declare this motion lost.

Shall section 19, as amended, carry? The same vote?

The ayes being 62 and the nays being 33, I declare this motion carried.

Section 19.1: Mr Duignan has moved an amendment to section 19.1. The same vote?

The ayes being 62 and the nays being 33, I declare this motion carried.

Mr Eves has moved an amendment to section 19.1.

The same vote reversed?

The ayes being 33 and the nays being 62, I declare this motion lost.

Mr Duignan has moved a government amendment to section 19.2. The same vote reversed?

The ayes being 62 and the nays being 33, I declare the motion carried.

Sections 20 through 38, same vote?

The ayes being 62 and the nays being 33, I declare the motion carried.

The final amendment is government amendment to section 39. Same vote?

The ayes being 62 and the nays being 33, I declare this motion carried.

Shall section 39, as amended, carry? Same vote?

The ayes being 62 and the nays being 33, I declare this motion carried.

Shall section 40 carry? Same vote?

The ayes being 62 and the nays being 33, I declare this motion carried.

Shall the title carry? Same vote?

The ayes being 62 and the nays being 33, I declare the title carried.

Shall I report the bill, as amended, to the House? Same vote?

The ayes being 62 and the nays being 33, I declare this motion carried.

Hon Mr Charlton: I move that the committee rise and report.

The First Deputy Chair: Mr Charlton moves that the committee rise and report. Shall the motion carry? Carried.

The Acting Speaker (Ms Margaret H. Harrington): The committee of the whole begs to report one bill with certain amendments and asks for leave to sit again. Shall the report be received and adopted? Agreed.

Hon Mr Charlton: I believe we have agreement to now start with the 117th order and do all of the private bills through to the 129th order. I think we have unanimous consent to do both second and third readings.

OWEN SOUND LITTLE THEATRE ACT, 1993

On motion by Mr Eves, on behalf of Mr Murdoch, the following bill was given second reading:

Bill Pr35, An Act to revive Owen Sound Little Theatre.

The bill was also given third reading on motion.

1750

CITY OF TORONTO ACT, 1993

On motion by Ms Akande, the following bill was given second reading:

Bill Pr45, An Act respecting the City of Toronto.

The bill was also given third reading on motion.

CAMBROCO VENTURES INC ACT, 1993

On motion by Mr Ruprecht, the following bill was given second reading:

Bill Pr47, An Act to revive Cambroco Ventures Inc.

The bill was also given third reading on motion.

CITY OF TORONTO ACT, 1993

On motion by Ms Akande, the following bill was given second reading:

Bill Pr48, An Act respecting the City of Toronto.

The bill was also given third reading on motion.

INSTITUTE OF MUNICIPAL ASSESSORS

AMENDMENT ACT, 1993

On motion by Mr Perruzza, the following bill was given second reading:

Bill Pr50, An act to amend the Institute of Municipal Assessors.

The bill was also given third reading on motion.

COUNTY OF HASTINGS ACT, 1993

On motion of Mr Paul Johnson, the following bill was given second reading:

Bill Pr52, An Act respecting the County of Hastings.

The bill was also given third reading on motion.

OTTAWA JEWISH HOME

FOR THE AGED ACT, 1993

On motion by Mr Elston, on behalf of Mr Grandmaitre, the following bill was given second reading:

Bill Pr56, An Act to revive Ottawa Jewish Home for the Aged.

The bill was also given third reading on motion.

CHILDREN'S ONCOLOGY CARE

OF ONTARIO INC ACT, 1993

On motion by Ms Poole, the following bill was given second reading:

Bill Pr57, An Act respecting Children's Oncology Care of Ontario Inc.

The bill was also given third reading on motion.

COUNTY OF GREY ACT, 1993

On motion by Mrs Marland, on behalf of Mr Murdoch, the following bill was given second reading:

Bill Pr58, An Act respecting the County of Grey.

The bill was also given third reading on motion.

CITY OF KINGSTON ACT, 1993

On motion by Mr Gary Wilson, the following bill was given second reading:

Bill Pr59, An Act respecting the City of Kingston.

The bill was also given third reading on motion.

CITY OF TORONTO ACT, 1993

On motion by Ms Akande, the following bill was given second reading:

Bill Pr61, An Act respecting the City of Toronto.

The bill was also given third reading on motion.

1800

YORK-DURHAM HERITAGE RAILWAY
ASSOCIATION ACT, 1993

On motion by Mr O'Connor, the following bill was given second reading:

Bill Pr64, An Act respecting York-Durham Heritage Railway Association.

The bill was also given third reading on motion.

REGION 2, IWA BUILDING SOCIETY ACT, 1993

On motion by Mr Bisson, the following bill was given second reading:

Bill Pr65, An Act to revive Region 2, IWA Building Society.

The bill was also given third reading on motion.

House in committee of the whole.

COMMUNITY ECONOMIC
DEVELOPMENT ACT, 1993LOI DE 1993 SUR LE DÉVELOPPEMENT
ÉCONOMIQUE COMMUNAUTAIRE

Consideration of Bill 40, An Act to stimulate Economic Development through the Creation of Community Economic Development Corporations and through certain amendments to the Education Act, the Municipal Act, the Planning Act and the Parkway Belt Planning and Development Act / Projet de loi 40, Loi visant à stimuler le développement économique grâce à la création de sociétés de développement économique communautaire et à certaines modifications apportées à la Loi sur l'éducation, à la Loi sur les municipalités, à la Loi sur l'aménagement du territoire et à la Loi sur la planification et l'aménagement d'une ceinture de promenade.

The First Deputy Chair (Ms Margaret H. Harrington): I recognize Mr White and I would like to ask if there are questions, comments and/or amendments, and to which section.

Mr Drummond White (Durham Centre): I wonder if first I might beg the Chair's indulgence and allow staff to join us, if that is possible. I don't imagine this will be a lengthy debate.

I move that section 22 of the bill be amended by adding the following clause:

"(a) the loan is intended to be used by the eligible borrower for—

The First Deputy Chair: Excuse me, Mr White. Could you first name the sections that we will be dealing with?

Mr White: Section 22.

The First Deputy Chair: I must ask if there are any questions, comments and/or amendments to sections 1 through 21. Shall sections 1 through 21 carry? Carried.

Mr White, now you may address the section.

Mr White: Thank you, Madam Chair. Regarding section 22, Madam Chair, I move that section 22 of the bill be amended by adding the following clause:

"(a) the loan is intended to be used by the eligible borrower for any purpose other than the development of the business of the eligible borrower; or".

Simply put, this addition simply allows us to reinstate a clause which was inadvertently withdrawn in order to allow for an opposition amendment. I know the opposition was very much in favour of this amendment and of these clauses, as it strengthens the administrative component of the bill and ensures accountability. So, very simply, this establishes that loans offered by a committee loan fund are for purposes of establishing a business and not for paying off debts or other uses.

The First Deputy Chair: Are there any further questions or comments to Mr White's amendment to section 22? Seeing none, shall the amendment carry? Carried.

Shall section 22, as amended, carry? Carried.

Are there any further questions, comments or amendments to section 23 through to section 69? Seeing none, is it the pleasure of the committee that sections 23 through to 69 carry? Carried.

Shall the title carry? Carried.

Shall I report the bill, as amended, to the House? Agreed.

1810

COUNTY OF SIMCOE ACT, 1993

LOI DE 1993 SUR LE COMTÉ DE SIMCOE

Mr Hayes, on behalf of Mr Philip, moved third reading of Bill 51, An Act respecting the Restructuring of the County of Simcoe / Projet de loi 51, Loi concernant la restructuration du comté de Simcoe.

The First Deputy Chair (Ms Margaret H. Harrington): Would members take their seats. We are dealing with Bill 51, An Act respecting the Restructuring of the County of Simcoe, standing in the name of the Honourable Ed Philip. Are there any questions, comments or amendments to any section of the bill?

Mr Pat Hayes (Essex-Kent): First of all, Madam Chair, I'd like the indulgence of the House to allow the staff to enter the chamber for committee of the whole, and I will go down there.

The First Deputy Chair: Mr Hayes, would you be able to tell us which sections of the bill you wish to amend?

Mr Hayes: Thank you, Madam Chair.

The First Deputy Chair: Please proceed.

Mr Hayes: I'd like to thank the rest of the members for their patience and indulgence. I was looking for numbers, and the first few are actually legal language. It's plain language, not numbers.

The first one is that the bill be amended by striking out "Adjala and Tosorontio" wherever it appears and substituting in each case "Adjala-Tosorontio." That's the first one.

The second one is that the bill be amended by striking out "Oro/Medonte" wherever it appears and substituting in each case "Oro-Medonte."

The next one is striking out "Nottawasaga, Stayner, Sunnidale and Creemore" wherever it appears and substituting in each case "Clearview."

The next one would be subsection 2(2). The next subsection 11(8.2); subsection 11(9); subsection 55(3). That completes the list of amendments.

The First Deputy Chair: Thank you very much. Are there any further amendments to any other sections? Seeing none, Mr Hayes, would you like to further explain your amendments?

Mr Hayes: The first one is that the township of Adjala and the township of Tosorontio have requested that the new municipality resulting from their amalgama-

tion be referred to as the township of Adjala-Tosorontio rather than the township of Adjala and Tosorontio.

The First Deputy Chair: Would you move the amendment first?

Mr Hayes: I move that the bill be amended by striking out "Adjala and Tosorontio" wherever it appears and substituting in each case "Adjala-Tosorontio."

Mr Ron Eddy (Brant-Haldimand): Hyphenated names are regarded as awkward by some, but I think the important thing here is that it provides for community identification and that's very important. Therefore, I support the amendments.

1820

The First Deputy Chair: Are there any further questions and/or comments? Seeing none, shall the motion by Mr Hayes carry? Carried.

Mr Hayes: I move that the bill be amended by striking out "Oro/Medonte" wherever it appears and substituting in each case "Oro-Medonte."

The township of Oro and the township of Medonte have requested that the new municipality be given that name.

The First Deputy Chair: Are there any further questions and/or comments? Is it the pleasure of the committee that Mr Hayes's motion carry? Carried.

Mr Hayes: I move that the bill be amended by striking out "Nottawasaga, Stayner, Sunnidale and Creemore" wherever it appears and substituting in each case "Clearview."

This amendment was brought forward as a result of the request of those municipalities that I have named and we're just carrying out their wishes.

The First Deputy Chair: Are there any further questions and/or comments with regard to this amendment? Seeing none, is it the pleasure of the committee that this amendment carry? Carried.

Shall section 1 carry? Carried.

Mr Hayes: I move that subsection 2(2) of the bill be amended by inserting after "the township of Essa" in the second line "the township of Adjala."

The standing committee on social development amended Bill 51 to implement an intermunicipal agreement annexing a small portion of the township of Adjala to the town of New Tecumseth. That was a request brought forward by those municipalities, also a local decision.

The First Deputy Chair: Are there any further comments or questions to this amendment? Seeing none, is it the pleasure of the committee that this amendment carry? Carried.

Shall section 2, as amended, carry? Carried.

Shall sections 3 through 10 carry? Carried.

Mr Hayes: I move that section 11 of the bill be amended by adding the following subsection:

"Same—township of Essa

"(8.2) The commission of the township of Essa shall be composed of,

"(a) the mayor of the township of Essa; and

"(b) two other members who are qualified electors in the local municipality, elected by general vote."

The township of Essa has requested that its new hydro-electric power commission, created under section 11 of Bill 51, consist of the mayor and two additional members rather than the mayor and four additional members. This amendment accommodates the township's request.

The First Deputy Chair: Are there further questions or comments to this amendment? Seeing none, is it the pleasure of the committee that this amendment carry? Carried.

Mr Hayes: I move that subsection 11(9) of the bill be amended by striking out clauses 10(1)(c), (d) and (e) in the second and third lines and substituting clauses 10(1)(c) and (d).

This is similar to the previous amendment, of course, brought in by the request of the township and we are accommodating that request.

The First Deputy Chair: Are there any further questions or comments to this amendment? Seeing none, is it the pleasure of the committee that this amendment carry? Carried.

Shall section 11, as amended, carry? Carried.

Shall sections 12 through 54 carry? Carried.

Now I believe you have an amendment in section 55.

Mr Hayes: I move that subsection 55(3) of the bill be amended by striking out subsection 44(19) in the fourth and fifth lines and substituting subsection 43(19).

This is a technical amendment and, as it is currently written, subsection 55(3) refers to subsection 44(19) and subsection 44(19) does not exist. This amendment corrects this error so that subsection 55(3) will refer to the subsection 43(19). I hope we've made that very clear.

The First Deputy Chair: Are there any other comments or questions with regard to this amendment? Seeing none, is it the pleasure of the committee that this amendment carry? Carried.

Shall section 55, as amended, carry? Carried.

Shall sections 56 through 68 carry? Carried.

Shall the title carry? Carried.

Shall I report the bill, as amended, to the House? Agreed.

Hon Fred Wilson (Minister without Portfolio and Chief Government Whip): I move that the committee rise and report.

The First Deputy Chair: Thank you. Mr Wilson has moved that the committee rise and report. Is it the pleasure of the House that the motion carry? Carried.

The Acting Speaker (Ms Margaret H. Harrington): The committee of the whole has reported two bills as amended and begs leave to sit again. Shall the report be received and adopted? Agreed.

Hon Mr Wilson: I move the adjournment of the House.

The Acting Speaker: Mr Wilson has moved the adjournment of the House. Is it the pleasure of the House that the motion carry? Carried.

The House adjourned at 1830.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency/Circonscription	Member/Député(e)	Party/Parti	Other responsibilities/Autres responsabilités
Algoma	Wildman, Hon/L'hon Bud	ND	Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones
Algoma-Manitoulin	Brown, Michael A.	L	
Beaches-Woodbine	Lankin, Hon/L'hon Frances	ND	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Brampton North/-Nord	McClelland, Carman	L	
Brampton South/-Sud	Callahan, Robert V.	L	
Brant-Haldimand	Eddy, Ron	L	
Brantford	Ward, Hon/L'hon Brad	ND	Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances
Bruce	Elston, Murray J.	L	
Burlington South/-Sud	Jackson, Caméron	PC	
Cambridge	Farnan, Hon/L'hon Mike	ND	Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation
Carleton	Sterling, Norman W.	PC	
Carleton East/-Est	Morin, Gilles E.	L	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la chambre et Président du Comité plénier de l'Assemblée législative
Chatham-Kent	Hope, Randy R.	ND	
Cochrane North/-Nord	Wood, Len	ND	
Cochrane South/-Sud	Bisson, Gilles	ND	
Cornwall	Cleary, John C.	L	
Don Mills	Johnson, David	PC	
Dovercourt	Silipo, Hon/L'hon Tony	ND	Minister of Community and Social Services / ministre des Services sociaux et communautaires
Downsview	Perruzza, Anthony	ND	
Dufferin-Peel	Tilson, David	PC	
Durham Centre/-Centre	White, Drummond	ND	
Durham East/-Est	Mills, Gord	ND	
Durham West/-Ouest	Wiseman, Jim	ND	
Durham-York	O'Connor, Larry	ND	
Eglinton	Poole, Dianne	L	
Elgin	North, Peter	Ind	
Essex-Kent	Hayes, Pat	ND	
Essex South/-Sud	Vacant		
Etobicoke-Humber	Henderson, D. James	L	
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth A.	ND	Minister of Health / ministre de la Santé
Etobicoke-Rexdale	Philip, Hon/L'hon Ed	ND	Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto
Etobicoke West/-Ouest	Stockwell, Chris	PC	
Fort William	McLeod, Lyn	L	Leader of the Opposition / chef de l'opposition
Fort York	Marchese, Rosario	ND	
Frontenac-Addington	Wilson, Hon/L'hon Fred	ND	Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement
Grey-Owen Sound	Murdoch, Bill	PC	
Guelph	Fletcher, Derek	ND	
Halton Centre/-Centre	Sullivan, Barbara	L	
Halton North/-Nord	Duignan, Noel	ND	
Hamilton Centre/-Centre	Christopherson, Hon/L'hon David	ND	Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Hamilton East/-Est	Mackenzie, Hon/L'hon Bob	ND	Minister of Labour / ministre du Travail

Constituency/Circonscription	Member/Député(e)	Party/Parti	Other responsibilities/Autres responsabilités
Hamilton Mountain	Charlton, Hon/L'hon Brian	ND	Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
Hamilton West/-Ouest	Allen, Hon/L'hon Richard	ND	Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Hastings-Peterborough	Buchanan, Hon/L'hon Elmer	ND	Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
High Park-Swansea	Ziemba, Hon/L'hon Elaine	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Huron	Klopp, Paul	ND	
Kenora	Miclash, Frank	L	
Kingston and The Islands / Kingston et Les Îles	Wilson, Gary	ND	
Kitchener	Ferguson, Will	Ind	
Kitchener-Wilmot	Cooper, Mike	ND	
Lake Nipigon/Lac-Nipigon	Pouliot, Hon/L'hon Gilles	ND	Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
Lambton	MacKinnon, Ellen	ND	
Lanark-Renfrew	Jordan, W. Leo	PC	
Lawrence	Cordiano, Joseph	L	
Leeds-Grenville	Runciman, Robert W.	PC	
Lincoln	Hansen, Ron	ND	
London Centre/-Centre	Boyd, Hon/L'hon Marion	ND	Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
London North/-Nord	Cunningham, Dianne	PC	
London South/-Sud	Winninger, David	ND	
Markham	Cousens, W. Donald	PC	
Middlesex	Mathysen, Irene	ND	
Mississauga East/-Est	Sola, John	Ind	
Mississauga North/-Nord	Offer, Steven	L	
Mississauga South/-Sud	Marland, Margaret	PC	
Mississauga West/-Ouest	Mahoney, Steven W.	L	
Muskoka-Georgian Bay	Waters, Daniel	ND	
Nepean	Daigeler, Hans	L	
Niagara Falls	Harrington, Margaret H.	ND	
Niagara South/-Sud	Coppen, Hon/L'hon Shirley	ND	Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs
Nickel Belt	Laughren, Hon/L'hon Floyd	ND	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Nipissing	Harris, Michael	PC	
Norfolk	Jamison, Norm	ND	
Northumberland	Fawcett, Joan M.	L	
Oakville South/-Sud	Carr, Gary	PC	
Oakwood	Rizzo, Tony	ND	
Oriole	Caplan, Elinor	L	
Oshawa	Pilkey, Hon/L'hon Allan	ND	Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales
Ottawa Centre/-Centre	Gigantes, Hon/L'hon Evelyn	ND	Minister of Housing / ministre du Logement
Ottawa East/-Est	Grandmaître, Bernard C.	L	
Ottawa-Rideau	O'Neill, Yvonne	L	
Ottawa South/-Sud	McGuinty, Dalton J.P.	L	
Ottawa West/-Ouest	Chiarelli, Robert	L	
Oxford	Sutherland, Kimble	ND	
Parkdale	Ruprecht, Tony	L	
Parry Sound	Eves, Ernie	PC	
Perth	Haslam, Karen	ND	
Peterborough	Carter, Jenny	ND	

Constituency/Circonscription	Member/Député(e)	Party/Parti	Other responsibilities/Autres responsabilités
Port Arthur	Wark-Martyn, Hon/L'hon Shelley	ND	Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé
Prescott and Russell / Prescott et Russell	Poirier, Jean	L	
Prince Edward-Lennox-South Hastings/ Prince Edward-Lennox-Hastings-Sud	Johnson, Paul R.	ND	
Quinte	O'Neil, Hugh P.	L	
Rainy River	Hampton, Hon/L'hon Howard	ND	Minister of Natural Resources / ministre des Richesses naturelles
Renfrew North/-Nord	Conway, Sean G.	L	
Riverdale	Churley, Hon/L'hon Marilyn	ND	Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Noble	PC	
St Andrew-St Patrick	Akande, Zanana	ND	
St Catharines	Bradley, James J.	L	
St Catharines-Brock	Haeck, Christel	ND	
St George-St David	Murphy, Tim	L	
Sarnia	Huget, Bob	ND	
Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony	ND	
Scarborough-Agincourt	Phillips, Gerry	L	
Scarborough Centre/-Centre	Owens, Stephen	ND	
Scarborough East/-Est	Frankford, Robert	ND	
Scarborough-Ellesmere	Warner, Hon/L'hon David	ND	Speaker / Président
Scarborough North/-Nord	Curling, Alvin	L	
Scarborough West/-Ouest	Swarbrick, Hon/L'hon Anne	ND	Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Simcoe Centre/-Centre	Wessenger, Paul	ND	
Simcoe East/-Est	McLean, Allan K.	PC	
Simcoe West/-Ouest	Wilson, Jim	PC	
Sudbury	Murdock, Sharon	ND	
Sudbury East/-Est	Martel, Hon/L'hon Shelley	ND	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Timiskaming	Ramsay, David	L	
Victoria-Haliburton	Vacant		
Waterloo North/-Nord	Witmer, Elizabeth	PC	
Welland-Thorold	Kormos, Peter	ND	
Wellington	Arnott, Ted	PC	
Wentworth East/-Est	Morrow, Mark	ND	
Wentworth North/-Nord	Abel, Donald	ND	
Willowdale	Harnick, Charles	PC	
Wilson Heights	Kwinter, Monte	L	
Windsor-Riverside	Cooke, Hon/L'hon David	ND	Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'œuvre
Windsor-Sandwich	Dadamo, George	ND	
Windsor-Walkerville	Lessard, Wayne	ND	
York Centre/-Centre	Sorbara, Gregory S.	L	
York East/-Est	Malkowski, Gary	ND	
York Mills	Turnbull, David	PC	
York North/-Nord	Beer, Charles	L	
York South/-Sud	Rae, Hon/L'hon Bob	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
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Third Session, 35th Parliament

Assemblée législative de l'Ontario

Troisième session, 35^e législature

Official Report of Debates (Hansard)

Tuesday 30 November 1993

Journal des débats (Hansard)

Mardi 30 novembre 1993

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Lists of members

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month. A list arranged by riding and including ministerial responsibilities appears on subsequent Mondays.

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Listes des député(e)s

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministérielles paraît tous les lundis suivants.

Tuesday 30 November 1993

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS

WATER EXTRACTION AGREEMENTS

Mr Murray J. Elston (Bruce): Last week, I stood in this House and introduced my private member's bill, Bill 126, which deals with water extraction agreements. A great number of constituents in my riding, Bruce riding, were concerned about the fact that no local agreements were required at all when people had permits to take water in excess of 50,000 litres per day.

It is in regard to this that my private member's bill makes some inroads. While successive governments have not dealt very much with the issue of water, it's my belief and the belief I think of a lot of people now that water is going to become ever increasingly a much more important resource for the province of Ontario.

Indeed, the discussions around free trade and NAFTA have made it clear that there are designs on our water resources, at least in my view, by those people in the United States of America and other places. While my bill does not purport to deal precisely with that issue, it does give local control over what goes into an agreement to extract water at local sites by people who are shipping water, either in bulk tanks or even purporting to do it by way of pipeline activities.

This will not protect the resource clearly enough for me, but it is a step to make sure that all the local people in an area where individuals desire to take water in large volumes and ship it to other places, for whatever reasons, will have a say in making sure that their resource is maintained in high quality and in high quantity, and it will require certain undertakings to be given by the people who want to transport that water. It's a step; I do not suggest that it is the solution to all our problems with respect to the water resource.

MUNICIPAL BOUNDARIES

Mr Ted Arnott (Wellington): Last Saturday morning, I drove to Guelph to meet with eight of my constituents, a delegation representing about 300 property owners whose lands were recently annexed from Puslinch and Guelph townships into the city of Guelph, the annexation taking place April 1 of this year.

The issue of their concern was simple: property tax increases that they're facing of up to 63%, or \$3,100 in increases. These increases are to be phased in over several years. These annexation discussions go back a number of years and it's important to remember that the annexation proposal was initiated by the city of Guelph; the city asked for this.

These affected residents tell me that prior to the effective date of the annexation they were consistently and repeatedly told by representatives of the city of Guelph that if their properties were annexed, their tax increases would be minimal, if any tax increases were to take place at all.

Based on this assurance by the city, virtually no one

opposed the annexation and no one appealed it. After April 1, though, the situation changed and it became clear that a serious error had been made by the city. The error was this: Puslinch township property assessment is based on a 1975 market value assessment, while the city of Guelph property assessments are based on 1984 market values.

Now, for example, based on the best projection we have, Charlie Bird faces an increase of \$3,100, or 53%, and there are others of that magnitude. These constituents now reside in the city of Guelph but the boundaries of the provincial riding of Wellington have not changed and I continue to represent these people.

I call upon the Minister of Municipal Affairs to review this matter and immediately convene a meeting with a delegation of these affected residents as well as representatives of the city and the interested townships to discuss this matter and seek a fair resolution to their concerns and problems. The minister must assure that fairness will prevail in this area.

PARLIAMENTARY REFORM

Mr Anthony Perruzza (Downsview): I rise today to add my voice and support to all those who seek to reform our parliamentary system to give more say to individual members.

Many people across the province are frustrated by our parliamentary system. They see a system that seeks to centralize power and is not responsive to their concerns. Far too often, the responsibilities and the decisions of government are vested in one individual, either the Premier or the Prime Minister. Similarly, the successes and failures of governments are also vested in one individual, either the Premier or the Prime Minister. This is wrong.

People want to participate more in the parliamentary process. People want their elected members, whether they be of any political party or any political stripe, to represent more closely the views of their constituents. In this regard, I add my voice to all those voices and my support to all those people who seek to reform our parliamentary system to give more say to individual members.

LABOUR DISPUTE

Mr Steven W. Mahoney (Mississauga West): Mr Speaker, there's currently some labour strife going on in the community that has a direct impact right at the community level and I just want to bring it to your attention. It's the strike between the United Food and Commercial Workers and the Miracle Food Mart stores, owned by A&P, which has bought up all those stores.

There's a lot of discomfort in the community: senior citizens who rely on these stores to be open—there are 63 of them that have been closed—single mothers, people who don't have vehicles and require public transit. It's causing a lot of unhappiness in the community. The dispute apparently is over job security.

Interjection.

Mr Mahoney: I understand it's not over wages, it's

primarily over job security, but whatever it's over, I wish they would come to a resolution because it's having an impact that goes beyond just a simple strike and a simple lockout. In fact, they're not allowed to open the stores as a result of Bill 40, so the 63 stores are closed and the people apparently are not even talking.

I would think that on behalf of all of the people in our community who are being inconvenienced, we should be calling on both parties to get together and sit down and find a way to resolve this, particularly heading into Christmas. There are many communities in Mississauga and all around the province that rely on that one grocery store that's close to home and they're not able to get out. I hope they can resolve this in the very near future.

1340

COURT FACILITY

Mrs Margaret Marland (Mississauga South): I'm glad the Premier is in the House at this moment because I wish to speak about the Peel courthouse.

When the Ontario government considered court expansion needs after the Supreme Court of Canada ruled on Askov in 1990, the region of Peel was regarded as the most urgent priority. The Attorney General promised that Peel would have a new courthouse by the end of 1992. Now it is the end of 1993, and the ground for a new courthouse has not even been broken yet. Peel was passed over in recent announcements of capital funding, while Hamilton and Windsor, both lower priorities, did receive funds for new courthouses.

Premier Rae said the Windsor and Hamilton courthouses were funded first because the deals for their construction were put together sooner. But we have to wonder if the real reason is that Hamilton and Windsor are NDP strongholds represented by cabinet ministers, whereas Peel is represented by the opposition parties. If politics have dictated the order of funding, something is rotten in the province of Ontario.

Since the Askov decision put time limits on waits for cases to come to trial, 10,000 criminal charges and 8,000 charges under the Provincial Offences Act have been dropped in Peel. So much for justice.

DURHAM EAST NEWSPAPERS

Mr Gordon Mills (Durham East): It's a great opportunity to say nice things about people during this members' time, and today I want to stand in my place and say some nice things about the newspapers in my riding of Durham East. I want to mention the Canadian Statesman, the Orono Times, the Courtice News, the Port Perry Star and the Scugog Citizen among other fine newspapers in the riding of Durham East that have all chosen since my election to print my weekly Queen's Park Report. Through the kindness and the generosity of those newspapers, I am able to communicate with all my constituents each week in a meaningful way.

Sometimes I write something that's controversial. Sometimes I get letters about it. But it's out there. I can tell you in complete honesty that I do not go anywhere these days without some people coming up to me and saying: "We read your column. You're keeping in touch."

I am not going to be backward in coming forward, but

I can tell you that since my election as the member for Durham East, the people in my riding have never been kept so up-to-date about things in this thing—ever. They are more informed than ever they've been. They know all about me. I'm not ashamed to tell them, the people who say bad things about me, and about the only thing that perhaps they don't know about me is the size of shoes I take. But that's what I want. I'm here to represent them, and I thank the newspapers for that.

ROBIN SEARS

Mrs Elinor Caplan (Oriole): I understand that a distress call has come out from Bob Rae's government. As the NDP fortunes continue to fall, the party of the people is saying, "Robin Sears, come home." Yes, even some in the Premier's office have been overheard calling for their own Boy Stalin to return. Ever since NDP campaign manager David Agnew joined the civil service and John Piper was banished from Bob Rae's court, the Premier has been lacking in political advice. "Come home, Robin Sears," they are calling.

Bob Rae could have used his wonderful bargaining skills to convince the Ontario Federation of Labour not to leave the NDP. This past weekend at the NDP provincial council, the Premier could have used his help in getting the troops out to dispel rumours of a leadership review. Yes, they're calling, "Come home, Robin Sears."

Julie Davis has resigned. The New Democratic Party needs a new president. And what do I hear them saying? I hear them saying, "Come home, Robin Sears."

We know how much you enjoy Japan, Robin, living off the Ontario taxpayers, but have pity on those taxpayers; we have a huge deficit. But most of all, Bob Rae needs your help. He needs you at home.

Every other foreign office has closed and all agent generals have returned. I understand that the Premier and the party are calling for Robin Sears to return. I bet Premier Rae would prefer to pay his salary here in Ontario. Won't you come home, Robin Sears?

ONTARIO HOME OWNERSHIP SAVINGS PLAN

Mr Allan K. McLean (Simcoe East): My statement's for the Minister of Finance on behalf of hundreds of new home buyers and real estate agents in Simcoe East.

Minister, your self-imposed December 31 deadline for pulling the plug on the extremely successful Ontario home ownership savings plan is fast approaching. Your threat to end the OHOSP is making potential new home buyers very nervous, because this program means the difference between buying or not buying that first home for many people in Simcoe East and across Ontario.

Local members of the Ontario Real Estate Association, David Mishaw, Dennis Bloom, Lloyd Raymond, Scott Leclair, Gloria Chamberlain and Jim and Ellie Noble, suggest that more than 248,000 OHOSPs have been opened since the program was established in 1988. Of that number, 204,000 have been closed to purchase a new home. Approximately 48% of all home sales in the first nine months of 1993 were to first-time home buyers. OHOSP makes good economic sense and provides an initiative for first-time home buyers to set aside money to buy their first residence.

Minister, I personally know of people, individuals and families, who would still be living in non-profit housing if OHOSP did not exist. OHOSP makes economic sense when you consider it costs about \$50 million annually, compared to the \$2.6 billion your government spends on non-profit housing subsidies each year.

Having said that, I would suggest that in the name of fiscal responsibility, you have an obligation to renew the OHOSP program beyond the December 31 deadline.

JOHN VAN DORP

Mr Kimble Sutherland (Oxford): I rise today to honour John Van Dorp, an innovative farmer in my riding of Oxford. Mr Van Dorp was recently nominated for the W.R. Motherwell Award as Canada's Outstanding Young Farmer. This award is named after William Richard Motherwell, who served as Saskatchewan's Agriculture minister from 1905 to 1918 and federal Agriculture minister from 1921 to 1930.

This year's theme was the environment in agriculture. Mr Van Dorp, who won the Great Lakes regional award, has long been involved in environmental farming techniques. He has farmed in Oxford for 20 years and is well known for his excellent crop results using alternative farming methods. He's also planted about 5,000 trees on his property in the last three years.

As if that has not kept him busy enough, Mr Van Dorp has also served with several organizations, including as president of Resource Efficient Agriculture Production Canada, second vice-president of the Oxford County Federation of Agriculture and chairperson of the federation's environment committee.

As chairperson of the environment committee, Mr Van Dorp urged volunteers to collect 151 tonnes of old batteries for recycling. The funds they received sponsored a waste management course at Fanshawe College and various 4-H Club activities.

Although Mr Van Dorp did not receive the national title of Outstanding Young Farmer, I believe his commitment to the environment and his contribution to the community are well deserving of our congratulations.

STATEMENTS BY THE MINISTRY AND RESPONSES

TEACHERS' DISPUTE

Hon David S. Cooke (Minister of Education and Training): Negotiations between the East Parry Sound Board of Education and the branch affiliates of the Federation of Women Teachers' Associations of Ontario and the Ontario Public School Teachers' Federation have been under way for more than 22 months.

On October 6, teachers went on strike in support of their demands. Although teachers have returned to their classrooms today, no settlement has been reached and the strike is now in its 37th day.

Last Friday, I met with members of the Education Relations Commission. They reported to me on the ERC's attempt to help the board and the teachers resolve this dispute.

Yesterday, I received the Education Relations Commission's report on the dispute between the East Parry Sound Board of Education and its public school teachers. After

extensive discussion with the parties by field staff, a fact-finder and numerous mediated sessions, officials of the commission have told me that they see little prospect for a negotiated settlement of this dispute in the near future. The commission has indicated that for the good of the students, a resolution of the strike must be achieved.

Yesterday, I met with the representatives of the board and the teachers as well as the Education Relations Commission. Despite these final attempts at mediation, the parties were still unable to reach an agreement.

To help resolve this dispute and to ensure that 2,600 children in the east Parry Sound public school system are able to finish their year, I will be introducing legislation later this afternoon to enable classes to resume. The legislation I am introducing will refer this dispute to binding arbitration. The arbitration process will examine all issues remaining in dispute, including any outstanding local issues relating to the social contract as it pertains to these negotiations. In the meantime, terms and conditions of the 1990-92 collective agreement will be reinstated until replaced by a new agreement.

1350

This legislation will ensure that public school teachers return to their work immediately. Teachers and the board will be asked to develop and submit a joint plan outlining how they will make up lost instruction time for students.

Under the legislation, the board and teacher groups will file with the Education Relations Commission and with each other the names of nominees to a board of arbitration. They will also be asked to name an arbitrator who is mutually acceptable to both groups to chair the board of arbitration.

The board of arbitration will render a decision by March 1, 1994. The board's decision will be effective from September 1, 1992, with a duration of at least three years.

The board and teachers will also have to file a report, due May 1, 1994, on the steps being taken by both groups to improve their relationship.

In addition, the legislation will direct the Education Relations Commission to determine whether either or both parties in the dispute were negotiating in good faith and making every reasonable effort to make or renew a collective agreement.

We have always taken the stand that it's in the best interest of the parties involved in a collective agreement to reach their own solutions. It is essential that the collective bargaining process continue to be a fair and balanced one.

Regrettably, given the findings of the Education Relations Commission and the actions of both the board and the teachers, it is necessary for us to intervene in this labour dispute so that the public school students in east Parry Sound do not lose their school years.

Mr Charles Beer (York North): In response to the Minister of Education's statement today, I want first of all to say that clearly all of us are happy that the teachers are teaching and that the young people are back in the classroom. But let's be very clear that this is not a happy day.

This is the second piece of back-to-work legislation that this House has had to consider within some five weeks, and we know that in east Parry Sound at the secondary level and in Windsor at the elementary level we still have two ongoing strikes. If one looks at the most recent document from the Education Relations Commission, we are aware that there are still a number of very serious disputes that could also end up in a strike situation.

I think, as I listened to the minister's statement, that there is one very significant point that is missing, and that is that the minister and the government have got to accept that they made a fundamental change to the collective bargaining process in this province, in terms of the educational system, when they brought in the Social Contract Act. The collective bargaining process as we knew it, and in which we had faith, has been fundamentally altered. While the minister will say, as he has said previously, that the Social Contract Act is not part of these labour disputes we see in the province right now, clearly the Social Contract Act is, and the government has got to accept a great deal of the responsibility for the problems we have had.

This government has in effect put undue pressure on both the Education Relations Commission and on school boards to in effect do its dirty work. That is clear from a reading of the act that is being brought before us today.

We have to go beyond the back-to-work legislation, we have to look at what is happening to communities, and we have to ask the minister and the government, where is the leadership that they intend to show so that this kind of situation doesn't happen again and again?

I want to draw the members' attention to an article by Steve Coad, the London Free Press education reporter, who wrote on Saturday what is a very full review of the feelings in the county of Lambton, which was of course the bill that we dealt with at the end of October. All you have to do is to look at the headlines and the subheadlines to really get a sense of how a community can be torn apart by a strike.

The headline is "When Teachers and Trustees Fight," and the subheads are "Hateful Relations," "Six Weeks Lost," "Power," "Hatred," "Irresponsibility," "Frustration." The entire article catalogues all the things that have happened that brought about that strike, and one could do precisely the same thing in east Parry Sound and, I dare say, in any of the other communities that are facing the potential of a strike.

Why is that happening? What is it that has happened particularly this year that has brought about these strikes? The minister notes—it happened in the Lambton situation; he's proposing it in terms of east Parry Sound—that he wants to see a report by May 2, 1994, in which the board and the teachers will show a plan, will develop a plan whereby they will work together.

What the minister fails to add is that we need this minister to come forward and say how the province is going to come back in, demonstrate leadership, work with the boards and with the teachers and help them through the Social Contract Act and what it has done to the process of free collective bargaining in this province.

The minister said in his statement: "We have always taken the stand that it's best for parties involved in a collective agreement to reach their own solutions. It is essential that the collective bargaining process continue to be a fair and balanced one." Yet this government, by the way in which it imposed its social contract legislation and by the way in which it has failed repeatedly to give leadership to boards and teachers as to how we can work through this, is very much complicit in the kinds of problems we faced in Lambton and that we faced in east Parry Sound and continue to face.

Minister, we need some real leadership from you to make sure this situation doesn't continue.

Mr James J. Bradley (St Catharines): What will be interesting for members of the House and members of the teaching profession is that the New Democratic Party that voted against all of these bills in the past and let the people of Ontario and particularly the teachers know, through their teachers' federations, that it would never support strikebreaking, is in fact engaging in back-to-work legislation. That is the difference between the NDP of principle and the NDP of power.

Mr Ernie L. Eves (Parry Sound): I'd like to respond briefly to the minister's statement here today. I think the important aspect of this entire matter is that there are some 2,600 students who are back in the classroom today, where they should have been for the last close to 40 instructional days now. The important aspect of this, as I've said on numerous occasions, is the students' education. It's very unfortunate that students had to miss close to 40 instructional days before we could come to the same conclusion that, quite frankly, we could have come to a month ago with respect to this dispute, in any event.

The minister shakes his head, but if he reads—and I'm sure he has—the report given to him today by the Education Relations Commission, I think it will substantiate the fact that basically the issues outstanding between these parties are the same issues that were outstanding over a month ago. Over a month ago, everybody except the Ministry of Education and Training, apparently, concluded that the only reasonable thing to do to save the students' education was to have binding arbitration with respect to those few issues that the parties just could not agree on and in fact, in the end result, agreed to disagree on. Those are the issues that are now being sent to binding arbitration, as indeed should be the case.

I would also say to the minister that it is somewhat unusual that we have all these disputes between boards and teachers during this year. The fact is that the legislation in subsection 5(7) specifically refers to the Social Contract Act and specifically deals with benefits, whether they can or cannot be taken away out of the previous collective agreement under the social contract legislation, and there's provision in there for the arbitration board to decide those issues. Surely that is proof in itself that indeed the Social Contract Act is at the root of these numerous disputes between boards and teachers all across the province, not just in east Parry Sound. I think the government has finally admitted it here today in its legislation.

1400

Mrs Dianne Cunningham (London North): Today renders us yet another example of the government coming forward with legislation to end a dispute—and we're all happy that the students are back in school—but legislation that opens the door to a number of issues and sets a precedent, I think, in school board collective bargaining in the province of Ontario.

The ERC has taken on a new role, has expanded responsibilities. My colleague from Parry Sound has referred to subsection 5(7) and has stated, with regard to certainly both the teachers and school boards, the impact on the social contract with regard to collective bargaining.

Actually, when you talk about including any outstanding issues related to any local agreement under the Social Contract Act, we're really talking about all outstanding matters now and we're into areas and expanded areas that can be open for dispute by any board in the future. I suppose the answer to this is, how do we keep teachers in school, how do we keep students in school and what is the real problem?

I can tell you that the memo that was sent out on November 22 to the school boards by the deputy minister to the director of education that states that effective December 1, 1993, the ministry will not approve expenses incurred employing staff to replace striking employees or expenses incurred to employ individuals to provide student programming will only add to the discourse and will only add to the concern of school boards.

This government, not only by nature of the two return-to-work pieces of legislation we've witnessed in the last couple of weeks in this province but also by this memo, has interfered in the collective bargaining process in school boards—unheard-of yet in the province of Ontario. Now by this memo they've told school boards, "If in fact teachers are on strike, you no longer can hire anyone to come into the schools and take care of the safety and the health of students and property."

I think during the debate later on this afternoon on this bill we will have—

Hon Mr Cooke: We just won't pay for it.

Mrs Cunningham: He won't pay. The point is the minister will not pay, which to me is setting precedent unheard-of in the province of Ontario for supervisors in our schools.

ORAL QUESTIONS

POLICE STAFFING

Mrs Lyn McLeod (Leader of the Opposition): My first question is to the Premier. For the last few months we have been raising examples of the very real impact your social contract is having on the services that people need. We now have evidence that one of the most important services is going to be cut back in spite of your promises that essential services would be protected under the social contract.

Premier, according to the Metropolitan Toronto Police Association, there are 345 fewer uniformed police positions in Metropolitan Toronto due to the social

contract. These positions are vacancies that are going unfilled as Metro starts to meet the social contract cuts.

I know you and members of your government have said that we tend to blame everything on the social contract, but there is a bottom-line reality to these numbers, and the bottom-line reality is that there are at least 345 fewer police officers in Metropolitan Toronto patrolling the streets every day. Premier, is this what you meant by a social contract, 345 fewer police officers patrolling our streets?

Hon Bob Rae (Premier): I understand the Solicitor General is due to be in the House today, and I would just as soon stand it down and let him answer that question.

Mrs McLeod: I'd like to continue with the question, if I may wait until the Solicitor General arrives, if you would stop the clock, Mr Speaker, while we wait for him to take his place.

The Speaker (Hon David Warner): If the minister would quickly assume his seat. Premier?

Hon Mr Rae: I see that the Solicitor General is here and I would refer the question to him.

Hon David Christopherson (Solicitor General): Mr Speaker, if I could just hear the question again, please.

Mrs McLeod: Mr Speaker, I anticipated that the Solicitor General would ask me to repeat the question. I'm not sure it's precedent for the Premier to stand down a question. I thought that was usually the opposition party's prerogative. But given the fact that he's asked for it to be stood down, could we start the question period again so we have the full hour for our questions?

The Speaker: It really wouldn't be appropriate, but the leader could perhaps succinctly place the question to the minister. I'm observant of the time.

Mrs McLeod: I'll re-phrase the question. Minister, my question to the Premier was one of concern about the fact that one of our most essential services is clearly being cut back as a result of the social contract. We have information that, according to the Metropolitan Toronto Police Association, there will be 345 fewer uniformed officers patrolling the streets of Toronto as a result of social contract cuts. I have asked the Premier whether or not this is the way in which your government keeps its commitments to ensure that essential services are protected.

Hon Mr Christopherson: I apologize to members for being late coming to my spot.

Let me say that as far as I know, there have been no final decisions that have been taken yet. Everything right now is being discussed and is up in the air, if you will, in terms of where things will finally be.

Let me say very clearly that this government has been very, very concerned about particular essential services, particularly those related to my ministry. I think we can show in our relationship with the OPP and other parts of my ministry that we have done everything we can to ensure that the resources necessary to provide those essential services are in place.

I have great faith in the ability of the senior officers, chief and members of the police services board to ensure

that their services are provided in a professional manner that indeed does meet the needs of the people in the city of Metro and others across Ontario.

Mrs McLeod: I simply fail to understand how that responds to the reality that as of today there are 427 vacancies in the Metropolitan Toronto Police Force, 345 of which are uniformed officers and they are not being replaced.

That is not the end of the problem nor of the impact of these cuts on police services in Metropolitan Toronto. I would tell the minister that in addition to the staffing reductions, the police staff will have to take three Rae days between January and March of next year. According to the Metropolitan Toronto Police Association, this translates into 379 fewer officers walking the streets on any given day.

Minister, how can you possibly say that you are protecting services, with the social contract not affecting the essential services people need, when there will be 379 fewer officers patrolling the streets of Metro next year? They will be sitting at home every day instead of being on the job.

Hon Mr Christopherson: Again, I come back to the first point, that I do not believe final decisions have been made around these issues. Therefore, it would be a little premature to start talking about what the realities are or are going to be vis-à-vis the final outcomes of these discussions.

Let me say that the whole issue of constraints, of meeting expenditure targets and of keeping expenditures under control is a goal shared by all in this House. Obviously, particular and special attention needs to be paid to the area of public safety, and I believe that it has been.

Let me also point out that it wasn't that long ago, in fact it was only a few short months ago, that the RCMP were notified by the former federal government of a \$70-million cutback in the RCMP. That again is not, I don't think, an indication that they didn't care about public safety, but the fact that all aspects of government must find new ways of doing the same services and indeed, in the case of policing, better services. We do have to find other ways of doing it with limited and in some cases less resources.

Mrs McLeod: The minister is right in one respect. This is an issue of public safety. I say to the minister, and to the Premier through him, that your government ran up the \$17-billion deficit. You were the ones who created the problem. You were the ones who said you could deal with this problem through the social contract without jeopardizing essential services, and that is not what is happening. Policing is one example of where the social contract cuts mean less service.

Interjection.

The Speaker: Order. The member for Beaches.

Mrs McLeod: The social contract has not protected jobs and essential services. It has ended jobs and it has left service providers sitting at home.

The problem with policing is not unique to Metropolitan Toronto. We've been told that in Hamilton the local

police force is short 30 officers because of vacancies going unfilled. We've been told that in Niagara region there's been a reduction of 24 positions because of the social contract.

Minister, how can you stand in this House and say to the people of this province that you are protecting public safety, that you are sure public safety will not be jeopardized, when we see these kinds of reductions in our police staff? Do you really feel that this is the right time to be taking police off the streets?

1410

Hon Mr Christopherson: By way of answer, I would ask, how does the honourable member suggest that by proclaiming in August that we shouldn't just find \$4 billion in expenditure cuts, that we should find \$6 billion, how does she expect to reconcile those sorts of positions with the kinds of questions that she's now asking?

The reality is that every part of government, Health, Education, all aspects of government services are being asked, out of necessity, to find new ways of doing their job of providing service to the people of Ontario.

Unlike the honourable member across the way, I have great faith, I truly do have great faith in the professionalism and the ability of the police officers in this province, working with police service boards and municipalities, to ensure that we always have a safe limit on the amount of money and the number of people who are involved in public safety.

I would leave the last message that public safety is not measured by the number of officers alone. There are a lot of other factors.

The Speaker: New question.

Mrs McLeod: It's difficult to ask questions of a government that just keeps putting its head in the sand and refuses to see the impact of the completely unplanned cuts that it has put in place.

PRESCRIPTION DRUGS

Mrs Lyn McLeod (Leader of the Opposition): My second question is to the Minister of Health. Yesterday the final hearing of the Liberal task force on cancer care was held in Ottawa. One of the concerns that was raised in that meeting of our task force was the lengthy approval process that is required to get permission to prescribe certain drugs that are used in the treatment of cancer. These are drugs which are not on the drug formulary and which are not covered by the special drugs program.

Minister, can you tell me how long it usually takes for approval to be given by your ministry when a doctor applies for permission to prescribe a drug that is needed by his patient?

Hon Ruth Grier (Minister of Health): I don't think I can give a simple answer to that kind of question. If the member is talking about the approval of drugs for the formulary, it's very dependent upon the time in which it takes the federal government and then the review by the Drug Quality and Therapeutics Committee.

It depends to a certain degree on the nature of the submission and the information provided by the company, and in the review, which is a very scientific and technical

review, the issues that may be raised, and then sometimes there is a second level of information required.

If in fact she's talking about the special program and the individual drugs which a physician may think an individual patient needs, then again I have to say to her I don't have an exact figure or days. It varies.

Mrs McLeod: Let me make it absolutely clear to the minister that I'm talking about drugs which have been approved for use in Ontario, which are not on the special drugs program, which are not on the drug formulary and therefore require special approval on request from a physician.

Yesterday in Ottawa Dr Verma, who's a cancer specialist at the Ottawa General Hospital, told us that it takes an average of nine weeks to get approval from your ministry to prescribe drugs that his cancer patients need.

Let me give you an example of what this can mean for a cancer patient. There's a drug known as GCSF which is used to stimulate the production of white cells in patients who have had chemotherapy. Patients who need this drug obviously need it right away, but because doctors can't get approval in a timely way, they have to hospitalize these patients to make sure that they don't succumb to infections and other complications while they're waiting for the drug to be prescribed.

Obviously this results in higher costs for the health care system. Minister, I ask how you can justify a bureaucratic process that actually adds costs to the system, but even more importantly, how can you allow patients to wait for nine weeks to get the treatment they need?

Hon Mrs Grier: I am aware that was one of the issues raised when the Leader of the Opposition was in Ottawa yesterday. I was concerned, as she is, that there should be that kind of a wait and I have certainly asked for and will continue to seek information as to why that occurs, whether it is commonplace or one particular situation and what can be done to make sure that kind of a wait does not occur.

Mrs McLeod: I would think that an issue of this magnitude is one which the minister has heard frequently, as indeed we have heard frequently. I say to you quite simply today that we believe that the health care program is supposed to ensure that people in Ontario can get the treatment they need when they need it. It is not supposed to be about bureaucratic systems that waste both time and money and keep patients waiting for the treatment that they need.

Minister, nine weeks, which is an average, can be an absolute eternity for a cancer patient. I ask you if you will make a commitment today, not only to find out why, but to streamline the process so that there can be speedy approval given for the drugs that patients need, so that patients and doctors will not be kept waiting.

Hon Mrs Grier: The health care system, I would agree with the Leader of the Opposition, is about providing care to people when they need it as quickly as possible. By and large, it does that extremely well. I would caution the Leader of the Opposition that if a doctor, in a political hearing, said that it took nine weeks,

I wouldn't extrapolate from that that it is an average. I know that there have been as short as 24-hour turnarounds in cases of real need. If it is urgent, we know that it can be done very, very quickly.

I want to follow up on the statement that was made. I want to make sure that is not the norm. Yes, of course what this system is all about is providing the right care to the right patient in the right way and the right time. That's what we spend \$17 billion of taxpayers' money doing and that's why we're so proud of the system that we have.

SOCIAL ASSISTANCE REFORM

Mr Michael D. Harris (Nipissing): My question is to the Minister of Community and Social Services. Last week was the deadline for introducing legislation if you planned to proceed with full public hearings during the winter recess or deal with the legislation on welfare. We saw nothing from you last week past on the issue of welfare reform. Quite frankly, that is not acceptable.

Our welfare rolls are ballooning. We read stories of fraud every day in the newspaper, including today about a recipient driving a BMW while collecting welfare. Every day that you stall costs taxpayers and therefore takes away from those who truly need a hand up. Why did you not introduce welfare reform legislation so Ontarians could have an informed debate on their welfare system?

Hon Tony Silipo (Minister of Community and Social Services): Let me just clarify for the member that the welfare reform, the social assistance reform of the government is very much on track. It is our intention to begin the new system in 1995, as we announced back last July, and that remains very much our target. Everything that we are doing is working towards that goal.

What we have done is decide not to introduce legislation before Christmas but to introduce legislation instead in the spring sitting. That will still allow us the time to be able to have the legislation go through the normal process of hearings and debate in the Parliament and in the committees and allow us to be on track with the reform. In the meantime, we are continuing our efforts to improve the system.

Certainly, the work that is going on, which I've had the chance to talk about in this Legislature, around fraud and controlling of that will continue, as will our efforts in conjunction with our colleagues in Education and Training through Jobs Ontario Training. That has seen very real results in terms of getting people off the welfare rolls—

The Speaker (Hon David Warner): Could the minister conclude his response, please.

Hon Mr Silipo: —and into training that will lead them to jobs.

Mr Harris: We're talking about implementing reports that have been on the shelf now for three, four, five, six years. There's no excuse for delaying until 1995, when you may not even be in office. Despite the fact that you have refused to move on the issue, there are many interim measures that you could take that you are not taking until taxpayers could have a full and an open debate on the

future of Ontario's social safety network.

For example, in Metro Toronto a computerized positive identification system has already saved \$2 million by monitoring double-dipping of federal and Ontario benefits. Why is that not being applied across the province? Los Angeles county has established a computerized fingerprint system which they say saved 56% of its costs in the first six months. Have you explored similar systems for Ontario, and if not, why not?

1420

Hon Mr Silipo: I'm delighted that the member referred to the computerized system in Metropolitan Toronto, because in fact we are providing part of the funds for that system. It's our intention, as part of the reform which is on track and which has always been intended to begin in earnest in 1995, to ensure that we have, among other things, one computerized system across the province so that people in any part of the province who are working in the system will be able to access information and transmit information from one part of the province to another. That, among other things, will be able to ensure that we are able to deal with the issue of fraud and abuse and overpayment in the system in a much better way than we can under the present system.

We know the ramifications and the implications that are involved in trying to change a very passive system that we have in place now, have had in place for as long as anyone can remember, to the kind of system that, in addition to providing benefits to people, will provide the real benefits to people in terms of supporting them to get out of the welfare rut and to be able to break out of that cycle of dependency. That's what we are doing, that's what we are on track on and that's what our intention is to do.

Mr Harris: You're moving on this about as fast as you're moving on nutrition programs in the schools, which you've sat on for over three years. All you're doing is rhetoric. All you're doing is talking about it. Several other jurisdictions have introduced innovative cost-saving plans.

Manitoba has instituted mandatory cheque pickup for high-risk groups; why not Ontario? Quebec has enhanced the authority of its welfare review officers; why not Ontario? The city of Brockville has hired an eligibility review officer who has more than paid for her salary already in recovered payments in fraudulent claims; why not the province of Ontario?

There are many sound ideas and proposals out there. Can you explain to me why it is that everybody else in Canada—

Mr Anthony Perruzza (Downsview): Come on. Cut through the guff. Say it.

The Speaker: Order. The member for Downsview.

Mr Harris: —and everybody else around the province is implementing ways to reform the welfare system except you? Why is that?

Hon Mr Silipo: Again that would be a useful question only if it happened to be the truth. But the reality is that we are continuing to implement a number of

measures, starting with some measures that have been in the system now for over a year, which have resulted in additional staff being put into the system to do the kind of verification that the member asks about. I've indicated on more than one occasion in this House how that has already resulted in some real savings, \$16 million identified in savings in a period of about six months alone, and we believe more of that will happen through those measures.

Those and other measures that we are putting in the system are beginning to have their results in terms of being able to reduce fraud and overpayment in the system, and we don't see that we have to wait until 1995 to continue our efforts on that front. We are intent on continuing to do those things because we believe it is important to protect the integrity of the system and to ensure that the benefits are going to those who need them, and that is something that we are going to continue to work on.

RECYCLING

Mr David Tilson (Dufferin-Peel): In the absence of the Minister of Environment and Energy, I have a question for the Premier. Normally, my questions are referred to someone else from the Premier so, to assist him, this question deals specifically with the government's plan to reduce waste by 50% by the year 2000.

This question arose yesterday from one of the Liberal questions to the Minister of Municipal Affairs and it has to do specifically with funding. The Minister of Environment has made it quite clear that the funding for the blue box program is going to end in April and yet the Minister of Municipal Affairs said yesterday—I was reading Hansard—that the funding is still there. Then he went on to say that he's going to be negotiating actively with the private sector and he said the negotiations will be successful.

My question to the Premier is that because of these many, many statements with respect to what the government intends to do with respect to the whole recycling issue, who is going to pay for this plan? Who is going to pay for the whole recycling program when we know that the Ontario government's going to get out of it in April, 1994, when we know that the municipalities can't pay for it and we know that the private sector's having a great deal of difficulty as well, at the same time honouring your commitment to reduce waste by 50%?

Hon Bob Rae (Premier): Mr Speaker, since the member's question refers to an answer given by a very capable minister, I'll refer the question to that minister.

Hon Ed Philip (Minister of Municipal Affairs): The Ministry of Environment will ensure, as the minister has said over and over again in this House, the financial sustainability of the blue box program. The government's sensitive to the concerns of municipalities regarding the funding of the blue box program. There's no free lunch. It costs a lot to look for dump sites and to process garbage and therefore, the more that we recycle, the more that the municipalities and everyone save.

I can say that there are a number of options being considered. Industry is recognizing that it has some

responsibility for paying for the garbage that it produces. Industry has come forward with Canadian industry product stewardship initiatives and we're working with industry to come up with plans for their sharing some of the costs of this program.

Mr Tilson: The difficulty is, the question was, who's going to pay for it? You say the province of Ontario isn't going to pay for it; you're going to get out of the business in April. The municipalities have made it quite clear they're going to have a great deal of difficulty paying for it and now you're simply saying that you're negotiating with the private sector. That's the problem. We in the province of Ontario simply don't know who's going to pay for a very difficult problem that exists in this province.

However, you've chosen not to answer that question. I'd like to move to another area in this problem. The region of Durham, in a recent television program by the Durham regional chair, Mr Herrema, has indicated that it has literally given up trying to find markets for its blue box collectibles. According to Mr Herrema, there's only one buyer in all of Ontario accepting glass collected in the blue box program. Then today, in this morning's media, it was raised that Metro is mixing recyclables with regular trash and disposing of them in dumps. In fact, the representative from CUPE, the local president, indicated that this has been going on for some time, that we've been mixing recyclables with the regular trash. The people of Ontario of course have been using their blue boxes properly and deserve better from your government. Municipalities will either give up storing these products and landfill them or they'll make their collection depots into unregulated above ground dumps for blue boxes.

My question is, how do you intend to ensure that this won't happen, given what has been going on in the province of Ontario for the last two years?

Hon Mr Philip: I wish the honourable member wouldn't have the Toronto Sun do his research for him, because the article is completely misleading. The article in the Toronto Sun stated that the city of Toronto was mixing blue box materials with waste and not recycling materials. That in fact is not the case. The city of Toronto has certainly advised us that the issue does not deal with blue box collections at all. What they're talking about is the servicing of the multicompartmental street bins that are provided by the city for depositing both litter and recyclables. Occasionally some of the recyclables are contaminated with what amounts to garbage. The people who use the bins don't always deposit litter in the litter compartment, but they sometimes deposit it in the recyclable compartment. The city is investigating the factors contributing to that situation.

1430

Let me add, in response to the preamble to this second question: There's only 3% of all blue box materials that is finding its way into landfill. All the rest is being recycled. I consider that a tremendous success story on the part of the Minister of Environment and on the part of this government.

Mr Tilson: The problem is that your government has indicated that there's going to be a 50% waste reduction

by the year 2000. That's the issue. All right, you can discount what the CUPE president indicated in the media this morning; I don't. I happen to believe what the CUPE representative is saying is correct. I also happen to not discount what the chairman of Durham is saying, that there's only one group, that there's only one individual who's taking this stuff with respect to recyclables. They can't get rid of it.

People in Ontario want this system to work, they want the blue box program to work, and yet you're having a great deal of difficulty with it. The people, as I said, want it to work. Municipalities of Ontario have given up trying to find markets for their blue box items. Mr Herrema is a prime example. They're literally storing their blue box collectibles in aboveground dumps all over the province. As well, don't forget what the mayor of North York continues to say. He's been saying for some time that the blue box program is too expensive for municipalities to operate and continue.

What do you intend to do to ensure that the people of Ontario, who have been doing their part to ensure that the blue box is a success, will have markets for their products? Will you ensure that there will be markets for these products?

Hon Mr Philip: The member likes to have it both ways. Only one of his colleagues got up in the House supporting the position of the Coalition of Environmental Groups the other day, saying that in fact we should be able to reach 70% or 80% in recycling.

I'd like to know what the position of the Conservative Party in this province is. They say that there's no market for it. In fact, in the case of newspapers, there's such a market that we are accepting newspapers from the United States for recycling, and we've created a whole new industry in the recycling of newspapers.

Don't tell us that there aren't markets for certain products. We're finding them, we're recycling newspapers, we're recycling—

Mr Tilson: Where are the markets?

Hon Mr Philip: Well, I'm sorry. The member likes to shout out me, but in fact only 3% of all materials collected in the blue box are finding their way into dump sites, and those for the most part are because they are contaminated materials.

MINISTRY OF COMMUNITY AND SOCIAL SERVICES EMPLOYEE

Mrs Elinor Caplan (Oriole): My question is to the Minister of Community and Social Services. In September 1991, when you were the Chair of Management Board, you produced a discussion paper called Whistle-Blowing, and in it you said: "Accountability in government is promoted when public employees understand they are free to disclose matters of serious wrongdoing and that they will not suffer any adverse consequences for having done so."

In light of that statement, in light of Bill 117 and in light of your government's 1990 throne speech promise to protect whistle-blowers, can you explain why your employee, Samantha Kemp-Jackson, a welfare worker and a single parent, was fired for blowing a whistle and

reporting an illegal immigrant? Why was she fired? Samantha is here in the gallery today. What else would you have wanted her to do?

Hon Tony Silipo (Minister of Community and Social Services): I appreciate the question. I would just say that first of all I think there are two issues that are involved here. I know the member wants to put them all together under the umbrella of whistle-blowing, but there really are two separate issues.

One is the whole issue involving the particular employee, and I hope that the member will appreciate that I'm not going to get, on the floor of the House, into a discussion about the issues related to the individual employee. There is a grievance process, grievances have been filed and the issues related to the particular employee will be resolved and dealt with through the grievance process.

Suffice it to say that it is the position of the ministry, I think already expressed publicly, that this individual was not fired as a result of those events, but in fact was a contract employee whose contract was not renewed and who was not hired for the permanent position she applied for, for which position someone else was chosen.

But let me just also hasten to say that in expressing that view and that position, I appreciate that those are all issues that are in contention and will obviously be addressed and resolved through the grievance process.

With respect to the issue of whistle-blowing, and I guess the issue of reporting that comes out of that, really, again I want to say to the member that we have procedures in place in the ministry for these kinds of things to be addressed through the supervisors in the offices and for them to be dealt with and to be reported. I think that again I want to detach very much my comments—

The Speaker (Hon David Warner): Would the minister conclude his response, please.

Hon Mr Silipo: —about the behaviour of the individual employee from the issue around the process, which are two separate issues.

Mrs Caplan: The minister's response is unacceptable. So much for whistle-blowing and your commitment. Not only is this a direct violation of your own stated intention to protect civil servants who report serious wrongdoing; it also flies in the face of your commitment to deal with and handle welfare fraud. This is an example. This employee was fired for anonymously reporting an illegal immigrant who was avoiding deportation.

The facts are clear. At the same time as you are hiring welfare workers you have dismissed—

Interjection.

Mrs Caplan: Yes, "fired" is the right word, an employee of four years who has an excellent performance record. What kind of a message do you think that sends to other workers who potentially could blow the whistle on welfare fraud? Minister, will you stand by your promise to protect whistle-blowers and will you reinstate Ms Kemp-Jackson to her position immediately?

Hon Mr Silipo: Again, let's try to get to the heart of the matter here. Yes, we believe very strongly in the

whistle-blowing legislation and in the process that presents, which is to provide employees in the government with a process whereby if they believe there is serious wrongdoing that has taken place in any level of government, they can have those issues addressed.

Nowhere under that process or any other process do we condone individual employees—and again, I want to be sure that my comments are not understood to in any way make any implications on either this individual employee's actions or any other individual employee. But in general let me say that nowhere do any of those procedures that are now in place or ones that will be in place once the whistle-blowing legislation is passed mean that individual employees simply have the right to assume and to determine on their own that something wrong has happened.

There is a process to be followed, and that process is there to protect the employee as much as it is to protect the integrity of the system. I think that any employee would do well to follow those processes that are in place where they exist.

The Speaker: Could the minister conclude his response, please.

Hon Mr Silipo: In this case, there is a process that does exist that calls upon employees to discuss issues of this nature with their supervisor, and for a course of action to therefore be determined as a result of that which would result, in instances such as this, in that information being passed on to the appropriate officials, in this case federal authorities.

PUBLIC CONSULTATION

Mr Michael D. Harris (Nipissing): My question is to the Minister of Health. This morning, Minister, you released your proposals and process for adding the next round of user fees to the health care system. According to the release put out by the joint management committee, all written submissions around these user fees must be made by January 10, which leaves little time during the busy Christmas season. Then there will be only one day for oral presentations and it will be held exclusively in Toronto.

Can you tell me why this is the sum total of public consultation on the issue of user fees in the health care system?

Hon Ruth Grier (Minister of Health): I first of all take issue with the member's characterization of the procedure that's occurring as "user fees." Secondly, let me say to him that the discussion around what in fact is a wise use of the public health dollars and what is medically necessary and should be part of our insurance system or should not has been going on for many years, and has been going on behind closed doors.

As the member will know, earlier this year, as part of our budget exercise, we established a working group that put out a number of procedures that we believed were not medically necessary and to which the members and others took very strong exception. As a result of our discussions with the Ontario Medical Association, which believes that a number of procedures that are currently paid for by OHIP are not medically necessary, a panel has been

appointed to examine the public submissions on these.

I can assure him that the submissions I've received since the budget have been referred to that panel. There will be, for the first time, an opportunity for the public to make a verbal presentation if they wish. It is a very unique and very open process. I would expect the member of the third party to applaud us for bringing these discussions out into the open.

1440

Mr Harris: I don't know why you're critical of a process we had. Our process was to list everything. You are delisting many things. Every day that turns around.

Minister, you would know that ever since I became leader of this party, I've been calling for a full and an open discussion on the issue of user fees. Let's be fair. A copayment is a user fee. Rationing leads to user fees. Parental contribution is a user fee. Delisting is a 100% user fee. They are in the system now. They were there when the Liberals were in power and they added to the user fees, and now you continue to add to the user fees.

Hon David S. Cooke (Minister of Education and Training): What was extra-billing?

Interjections.

Mr Harris: What I want to know is, as you embark down this slippery slope of more and more user fees, 100% user fees, why do you refuse to allow the taxpayers, the people who pay for it and the people who use our health care system, to participate in a debate over what should be and what should not be paid for by the public purse? Why do you continue to deny that access?

Hon Mrs Grier: As my colleagues have been reminding the leader of the third party, I guess, when that party was in government, we had extra-billing, so whatever extra was paid for went to the doctors in the service. Now we have the doctors, as part of their negotiations with us, saying there are a number of things that ought no longer to be covered by the insurance system.

Instead of allowing the doctors to make that decision or instead of making it unilaterally, we have had for the last year—

Mr Jim Wilson (Simcoe West): You have a whole new industry growing up.

The Speaker: The member for Simcoe West, come to order.

Hon Mrs Grier: —a public debate about these issues, and now an independent panel, with public members on that panel, is going to be reviewing that debate and coming to some conclusions which it will recommend to the OMA and to the ministry. That is progress.

Interjections.

The Speaker: Order.

WATER QUALITY

Mr George Mammoliti (Yorkview): My question is to the Minister of Municipal Affairs.

Interjections.

The Speaker (Hon David Warner): Would the member take his seat, please.

The member for Yorkview.

Mr Mammoliti: My question is to the Minister of Municipal Affairs. Mr Minister, I'm asking for your help today on behalf of a number of constituents in my riding, constituents who are pretty vocal to their municipality, the city of North York, in terms of the drinking water and the fact that the pipes around that particular area they live in have not been replaced for years, 25 to 30 years, and they're full of rust.

Frank Crispo, a resident of Laskay Crescent in my riding—who, by the way, is on a fixed income and spent \$1,700 on a water filter system—has brought something to my attention that I think you might find to be a very serious matter. This is a clean water filter that costs about \$10 to \$15. Mr Crispo replaces it twice a year, every six months. This is brand-new, and this that I'm going to send over with a page in a second is a filter that was white, pure white as I've shown you, and is six months old. This is North York rust, Mr Minister.

The Speaker: Would the member place a question, please.

Mr Mammoliti: I'm asking you, because Mr Crispo and some of the residents in his area have not been able to get through to the municipality in the city of North York, to help Mr Crispo in this. But before that, I'm going to send this over to you, and I want you to tell me whether you agree whether this is disgusting or whether it isn't.

Hon Ed Philip (Minister of Municipal Affairs): I think the question was, is this disgusting? I would find this pretty disgusting. I think it's pretty disgusting that the member sent this to me.

Mel Lastman, being the mayor of the city with a heart, should be concerned about this. I'll be happy to discuss this issue with him on behalf of—who was it? Mr Crispo? Not John Crispo, I hope. I'd hate to think I was dealing with John Crispo's filter, although sometimes I think it might have been helpful.

But I'll be happy to discuss it with Mayor Lastman. Indeed, there may be some assistance that might be provided under the new federal infrastructure program or under some of our infrastructure programs that we can work on with him.

Now that I've seen this disgusting item, may I ask the page to take it back to the member for Yorkview. I'm sure he'll want to hold on to it.

Mr Mammoliti: While some members in this Legislature might find this amusing, I can assure every member in this place that my constituents are concerned about their drinking water, concerned about the rust in the pipes. Quite frankly, the ones who can't afford the \$1,700 to filter their water are wondering now what they are drinking and whose responsibility this is.

The city of North York obviously doesn't want to answer Mr Crispo's question. The councillor certainly hasn't responded to his concerns over the last couple of years. I'm hoping you'll be able to help the constituents who are concerned about this. I don't want to drink rust, and I don't want to drink anything else that might be in this pipe and the pipes in the city of North York.

The Speaker: Would the member place his question.

Mr Mammoliti: Not only is it an issue for Mr Crispo and the Laskay residents, but it is an issue all across North York.

The Speaker: Would the member please place his question.

Mr Mammoliti: Not only can you ask the mayor and the city of North York to deal with this particular problem, but to deal with other problems—

The Speaker: Would the member take his seat. If the minister can detect a question out of that, he has the opportunity to respond.

Hon Mr Philip: It reminds me of when I took a course from John Crispo, and it was a credit course.

Mr Charles Harnick (Willowdale): Did you pass?

Hon Mr Philip: I passed it, yes. I got an A.

I recognize that the question is a serious question. It is of concern to his constituents, and I will discuss it with the mayor and council of North York.

TEACHERS' PENSION LEGISLATION

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Education and Training. It has to do with your plans on the teachers' pension, the bill that was introduced last week in the House.

I gather the purpose of the bill is to give yourself a three-year holiday from making any payments against the \$8-billion unfunded liability. I gather that what it means is that you will essentially let the unfunded liability rise by perhaps another \$1 billion.

Part of the plan, I gather, is that you will withdraw \$300 million from the teachers' pension fund. Normally, to do this an employer is required to follow certain notification provisions in the Pension Benefits Act, but I gather your bill is designed to permit you to be excluded from that provision of the Pension Benefits Act; in other words, not to notify people that you're doing this. My question is, why are you exempting yourself from that notification provision in the Pension Benefits Act?

Hon David S. Cooke (Minister of Education and Training): I think the member knows that a process was gone through with the members of the plan, the teachers, through the social contract discussions. An evaluation of the pension plan was completed earlier this year. There's not a withdrawal of funds nor an increase in the unfunded liability. In fact, there's a surplus in the one fund, and that surplus is being used to fund the other fund that funds the indexation of the plan.

I think the member understands that there's nobody to notify. The teachers have been integrally involved in the whole determination of this provision through the social contract discussions.

1450

Mr Phillips: The reason I'm pursuing this is that in the written information I've seen from the teachers, there is something that says, "Money will not be removed from the fund." The whole purpose of excluding yourself from the provisions of the Pension Benefits Act—and everyone should know that this is what I call the Conrad Black provision of the Pension Benefits Act, that you have to notify people if you plan to withdraw surpluses.

The reason I ask the question is that I think we have two interpretations of this. Within the act, within the bill you introduced, you are excluding yourself from those provisions. Provision 78 has to do with surplus and notification.

There obviously is a difference of opinion here. Will the minister undertake that a legislative committee will have a chance to look at this bill?

I realize that the government wants to proceed quickly with it, but there seems to be some difference of opinion on the interpretation of it. Will a legislative committee have an opportunity to review the bill before you pass it for third reading?

Hon Mr Cooke: I certainly know that all of those items on how legislation is handled are always appropriately dealt with by the House leaders.

ONTARIO FILM REVIEW BOARD

Mrs Margaret Marland (Mississauga South): My question is for the Minister of Consumer and Commercial Relations. Recently, the Ontario Film Review Board has approved some extremely disturbing films.

One is *Boxing Helena*, which is currently showing at a Toronto repertory theatre. In this controversial film, a young woman is enslaved by a psychotic doctor who amputates her arms and legs in order to keep her hostage.

Another film, *Urotsukidoji: Legend of the Overfiend*, was shown in September at two repertory theatres in Toronto. According to a review in *Eye* magazine, this film featured, and I quote: "Rapes aplenty, with pre-adolescent-looking girls getting their every orifice torn apart, in every repulsive manner imaginable or even not imaginable."

For a theatre to show a film that depicts sexual violence and children involved in any type of sexual activity would violate the Criminal Code's obscenity provisions and the new child pornography law.

Minister, what on earth is going on at the Ontario Film Review Board if films depicting gross sexual violence are being approved for movie theatres to show, contrary to the Criminal code of Canada?

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): I'll say once again that I'm on the record as being very concerned about any kind of film that's promoting violence against women.

I know about the *Boxing Helena* film, because it was of concern to me when I heard about some of the depictions in that movie. I understand that the board gave a restricted classification, with information pieces that indicated it may be offensive and includes sexual content. I really share the concerns about some of the promotional material that came out around that movie.

Once again, I'll say to the member that the film review board, as she well knows, is in the midst of a reorganization and has been looking at ways of changing the classification of films so that there's more information going out to people.

Getting back to the slasher film item that she talked about, we do have to go back to talking about the Criminal Code again. What we would like to see is an

amendment. I've already explained why we need that amendment so that kind of brutal violence is included in the Criminal Code as obscene.

The Speaker (Hon David Warner): Could the minister conclude her response, please.

Hon Ms Churley: At this point, it isn't.

Mrs Marland: It really concerns us that this minister only talks. There is no action to resolve this kind of material being available in this province today.

The Ontario Film Review Board clearly fails to reflect our society's standard of tolerance. The two films I just mentioned are one example of this failure. Another is the number of extremely violent films that the Ontario Film Review Board has approved for viewing by children, yet the minister is allowing the board to shield itself from public scrutiny by not appointing vice-chairs, who have traditionally led the board's viewing panels. Instead, some OFRB members who lack experience and knowledge on the relevant legislation are acting as panel leaders. I have been told by an OFRB member that as a result, films have been approved which violate the board's guidelines.

It is obvious after the controversy after the Wendy Priesnitz nomination that you are now trying to avoid having the OFRB's vice-chair appointment scrutinized by the government agencies committee. You're trying to shift the accountability for the positions from you to the OFRB and its chair. Will you reverse your irresponsible position on these vice-chair appointments and, for once, show some leadership and some direction—

The Speaker: Would the member conclude her question, please.

Mrs Marland: —on behalf of the people of this province?

Hon Ms Churley: It's very clear to me that there needs to be a reorganization within the film review board, and in fact it's going on right now. The issues that have been raised by the member she has raised on several occasions with me.

What we need within the film review board is the leadership of the people who are chosen who deal directly on a day-to-day basis within the film review board. The people who are appointed by me, the minister, the chair can see on a day-to-day basis how well these people are working and what they know about the films they're seeing. It makes sense to me that those people be chosen by the chair, because she has a better working knowledge of how well they know the business they're conducting. I think it was a move forward that I am not now appointing these vice-chairs, but that the chair, who has the knowledge—

The Speaker: Could the minister conclude her response, please.

Hon Ms Churley: —and experience, is doing it.

ACCESSORY APARTMENTS

Mr Gordon Mills (Durham East): My question is to the honourable Minister of Housing. I'm very interested in Bill 120, and naturally I'm very interested in granny flats, as is a number of more elderly residents in my riding. I ask this question on their behalf and on my own

behalf. We introduced the residents' bill of rights. Does that mean the municipalities are going to have to introduce this legislation, or where do they stand in this? I want to know.

Hon Evelyn Gigantes (Minister of Housing): The Bill 120 provisions will mean that municipalities are not required to accept the placement of granny flats, or garden suites, as they're called in technical terms, on individual properties, but it does permit them to enter into long-term agreements with the owners of the property, and that makes it easier for the municipality to administer. Previously, they could only have agreements with a property owner that lasted for three years. Now they can make agreements up to 10 years and they can set up their own site agreements.

Mr Mills: I want the members of the third party to listen to this part. I'm working in my riding with a small business man very closely in the manufacture of granny flats. I'm working with this gentleman—and I want them to know that, because I'm not anti-small-business—to bring about granny flats in the riding, and he tells me that without some sort of legislation, the municipalities will never get to square one with these granny flats. He said, "They're not going to bother with it: They're going to say: 'We haven't got the time. We haven't got the resources. We're not bothering with yours.'" So my constituent, who's got an awful lot of money invested in this enterprise, feels he's wasting his time.

Can you tell me how we can help that constituent of mine, this very enterprising small business man?

Hon Ms Gigantes: I think the member's constituent is looking in a good market, because it's going to be a growing market and this legislation will certainly encourage it. I think he probably identifies a lack in the sense that there are small municipalities for whom working out the details of agreements with property owners may in fact prove to be an onerous burden if they don't have the personnel resources.

Perhaps what we could look at in this case would be to have the Ministry of Housing do some work with the Ministry of Municipal Affairs and see if we can come up with a standard contract that would be available for use by the municipalities that don't have their own resources to develop their own contracts. That might help.

1500

JUNIOR HOCKEY

Mr James J. Bradley (St Catharines): I have a question for the Minister of Culture, Tourism and Recreation. This revolves around an issue which I have raised in the House previously and which other members have raised, and that is the issue of the dispute between the Ontario Minor Hockey Association and the Ontario Hockey Federation, representing the Canadian Amateur Hockey Association.

As a result of this dispute, many youngsters in this province have been unable to compete in the kind of tournaments that they wanted to and many communities have been unable to sponsor the kind of tournaments they would like, and thereby those communities have not benefited financially.

The minister has now appointed a mediator and suggested to the two sides that they come together to meet with that mediator to resolve this dispute so young people can play hockey the way they want to. My question to the minister is, if the two sides do not come to meet with the mediator, and I believe they should, could the minister outline what possibilities might result from a refusal to come to the table to meet with the mediator?

Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation): I'd prefer to stay positive at this point in hopes that the two parties will come tomorrow to engage in mediation efforts which I have facilitated. As the member for St Catharines knows—and I appreciate the concern for this issue that he's continued to convey to me, as have many other members of this House—over the past number of weeks I've attempted to engage the two parties in wanting to participate in a mediated process of resolution of their disputes.

Unfortunately, that had not to date been an offer that they felt comfortable taking up. They continued to indicate that they felt they could resolve their problems themselves. I'm becoming, as I know all members of this House are becoming, and many parents that I'm hearing from across this province, quite concerned that with the holiday season tournaments upon us, we need to know that this dispute is going to be resolved and to be resolved now.

It's on that note that I have recently conveyed to them—actually in one letter about 10 days ago—a deadline for them to resolve this between themselves. Since that has not resulted in success, today, through both phone calls and in writing, I've invited them specifically to a meeting tomorrow night, with the assistance of a provincial mediator, to come together in good faith to try to resolve those differences with the help of that mediator.

I believe that all members of this House, in fact all members of the public, will join me in appealing to those two parties, the OMHA and the OHF to come together tomorrow night in good faith to attempt to resolve those outstanding problems and allow our children to engage in their holiday season hockey tournaments.

The Speaker (Hon David Warner): The time for oral questions has expired.

USE OF QUESTION PERIOD

Mr Monte Kwinter (Wilson Heights): On a point of order, Mr Speaker: I apologize for raising the point of order at this time, but if I had raised it at the time when it was appropriate, it would have just compounded the problem that I would like to discuss.

At the start of question period today we had a situation that I think requires some attention by the Speaker. Under part VIII, subsection 33(a), the standing orders say, "The oral question period shall be limited to 60 minutes...." As a result of that directive, question period becomes not only a political exercise but it really is an exercise in time management. We, in the opposition, if it was a perfect situation, would get two thirds of the allotted time, which is a very short period of time.

When we have the situation that occurred today when the Leader of the Opposition asked a question of the Premier and he first asked that it be stood down but then referred it to the appropriate minister, that took three minutes. It would seem to me, given the shortage of time available, that to have three minutes taken out of the opposition's opportunity to utilize question period puts us at a disadvantage that we have no control over. It is one thing if there is control by the parties and you say, "You are the victims of your own doing, and you're going to have to learn to be more efficient."

It would seem to me, particularly because it was the start of question period and the fact that there was nothing we could do about it—we could only sit and watch the time tick away—that it would have been appropriate for question period to have been restarted so that members of both opposition parties would have the same fair and equitable access to the time available to them. I would ask that you take that under advisement.

The Speaker (Hon David Warner): To the member for Wilson Heights, indeed I very much appreciate the point which he has brought to my attention. I understand the difficulties that are connected with the opposition's approach to question period. It's my understanding that members are given an indication of which ministers will or will not be present, and on that basis they determine to whom they will address their questions. If ministers who the opposition understand will be in attendance are not in attendance at the time when the question is to be placed, then it creates an awkward situation.

In terms of the operation of question period, I'm quite reluctant to stop the clock unless there's something terribly unusual or indeed to start over again, once having started. However, having said that, it's always my intention to try to provide the very best question period that is possible for both sides of the House. If there is some way in which we can accommodate the reasonable request that has been put forward by the member, I'm more than pleased to consider it.

It may take some discussion among the three House leaders to try to determine how they can guarantee the unofficial lists which are provided to all three caucuses. That would assist the Chair in being able to start question period on time and to continue it without having to interrupt the proceedings.

I am aware that today there was some time lost off the clock, primarily because the Leader of the Opposition had to re-place the question that she had placed, because the minister wasn't in the chamber at the time. In order to ensure that the minister understood what the subject-matter was, the Leader of the Opposition had to ask the question again, and that utilized some time which otherwise would not have been taken.

As I say, I'm more than happy to consider if there's some way in which we can better guarantee that when we start a question period the members who are supposed to be here are in fact here. I think that would solve the member's problem, but I'm more than happy to take a look at it and see if there's some way we can adjust it so that people have the maximum opportunity to ask questions.

Mr Kwinter: On that same point of order, Mr Speaker, if I may: I certainly appreciate your attempt to reconcile this particular problem. But I think it's important that you understand that there's a subtle difference between your particular explanation and what actually happened.

We in the opposition get a list of which ministers are going to be here, and we accommodate that, we make the adjustments. If there is a minister who's supposed to be here, we either ask that a question be stood down or we adjust among ourselves.

But in this particular situation it wasn't a matter of the minister not being available. The question was directed at the Premier. That was the intent of the person who was asking the question, that the Premier should answer the question. He doesn't have to and he decided to shift it to the responsible minister, which is his prerogative. The point was that the person he directed it to was not there.

So it wasn't our problem to say, "You should have directed it to the minister who was here." We directed it to the Premier, from whom we wanted to get the reply. He chose to direct it to a minister who was not here, and as a result we were penalized. That is the whole point of my point of order, that absolutely, if we see that there has to be an adjustment, we'll make it. But when we have no control, why are we being penalized?

The Speaker: I understand the member's point, and it's certainly well taken. I will have to reflect on how I handled the situation. The member will understand that the Premier had an option of taking the question as notice or to refer it, and he chose to refer it. Unfortunately, the minister was not present in the chamber at the time, and that utilized some extra time and caused an undue penalty to the opposition.

The member for Durham West, on the same point of order.

1510

Mr Jim Wiseman (Durham West): I won't prolong this debate very long, but I would like to point out to you that oftentimes the people who make the sacrifice in terms of a shortened amount of time in question period are not in the opposition party but the backbenchers of the government side, who more frequently do not get the third round of questioning. Today in fact the second party, the Progressive Conservatives, did not get as many questions as the opposition party did.

If we're going to evaluate the amount of time that is being spent, it may well be that you might want to look at the number of times that the backbenchers of the government side have missed out on the opportunity to ask their questions in this place. That would probably put it to rest, that the position the member has made is in fact incorrect and that they have the advantage in question period and not the disadvantage.

The Speaker: I don't know if it bears repeating or not, but this is your question period, and if members are anxious to have as many members participate as possible, then it's important for both questions and responses to be as brief as possible.

Yesterday we had 14 questions, which is above the

norm, and that allowed a number of members to ask their questions, including three backbenchers from the government. Today we were not quite as successful. But who knows? Tomorrow is another day.

PETITIONS

ST LAWRENCE PARKS COMMISSION

Mr John C. Cleary (Cornwall): I have a petition to the Parliament of Ontario:

"Whereas the St Lawrence Parks Commission has closed a number of parks;

"Whereas if these parks would remain open it would boost the local economy;

"Whereas the Minister of Tourism and Recreation does not support single-source leasing at this time,

"We, the undersigned, petition the Parliament of Ontario as follows:

"To permit private sector leasing of the above parks for the revitalization of the eastern Ontario economy."

That's signed by Reeve Charles Sangster, Reeve Floyd Dingwall, Reeve Lynden Hough, Reeve Gordon Ross, Reeve Ron MacDonell, Reeve Carson Payne, Reeve John Moss, Reeve James MacEwen, Reeve Gordon McGregor and many others of eastern Ontario. That's a very important petition.

SEXUAL ORIENTATION

Mr W. Donald Cousens (Markham): I have a petition signed by a number of people from Thornhill in my riding:

"To the Legislative Assembly of Ontario:

"Whereas traditional family values that recognize marriage as a sacred union between a man and a woman are under attack by Liberal MPP Tim Murphy and his private member's Bill 45;

"Whereas this bill would recognize same sex couples and extend to them all the same rights as heterosexual couples;

"Whereas the bill was carried with the support of an NDP and Liberal majority but with no PC support in the second reading debate on June 24, 1993; and

"Whereas this bill is currently within the legislative committee on administration of justice and is being readied for quick passage in the Legislature;

"Whereas this bill has not been fully examined for financial and societal implications,

"We, the undersigned, petition the Ontario Legislature to stop this bill and to consider its impact on families in Ontario."

I have affixed my signature to this petition.

PICKERING AIRPORT LAND

Mr Larry O'Connor (Durham-York): I've got a petition here:

"To the Legislature of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government sale plan,

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the provincial government of Ontario request the federal government of Canada to initiate a public review panel by their federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents there."

It has been signed by residents from the Glasgow and Altona area, and they want to sit down with the government and work with it.

HUMAN RIGHTS

Mr John Sola (Mississauga East): I have a petition signed by over 100 Ontario residents, including some from the riding of Mississauga East, plus a resident of Long Island, New York, making this an international petition on an international concern of human rights. It states as follows:

"Dear parliamentarian:

"We have learned that Chinese pro-democracy activist Fu Chang-Ye was recently detained and sentenced by police to re-education through labour, a form of arbitrary detention without trial. This is the third time since 1981 that Fu has been imprisoned or arbitrarily detained. We ask you to urge the Chinese government to immediately release Fu Chang-Ye and to abolish re-education through labour.

"We believe that Fu Chang-Ye has not broken any law and that all Chinese have the inalienable right to a fair trial."

This was accompanied by a report from Amnesty International and by a letter from the Chinese human rights group asking Ontario MPPs to take up this cause. I add my signature to it.

SEXUAL ORIENTATION

Mr Hugh O'Neil (Quinte): I have a petition that I've received from some of the residents of the Quinte area from the Bethel Chapel in Belleville, Ontario. It's expressing their concern regarding Bill 45 and I submit it to the Legislature.

ASSISTED HOUSING

Mr Robert W. Runciman (Leeds-Grenville): I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas the government of Ontario has imposed a 1% per year increase over the next five years on subsidized housing; and

"Whereas the rent-geared-to-income ratio in five years will have increased from 25% to 30% of income;

"We the undersigned senior citizens of Legion Village 96 petition the Legislative Assembly of Ontario to reconsider this additional financial burden on seniors and find the revenues necessary through other cost-effective measures."

I've affixed my signature.

PICKERING AIRPORT LAND

Mr Jim Wiseman (Durham West): "To the Legislature of Ontario:

"Whereas the federal government intends to dispose of

surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government sale plan;

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents therein."

This is signed, again, two pages of signatures from Sedgemount Drive. Once residents find out what's going on, they become outraged. I hope the federal government will act soon. And I affix my signature.

TUITION FEES

Mr Bob Huget (Sarnia): I have a petition to the Legislative Assembly of Ontario. The petition states:

"Whereas those wishing to go to colleges and universities in Ontario must pay tuition fees;

"Whereas tuition fees have increased by 96.7% since 1981;

"Whereas education is a right and should not only be limited to those who can pay;

"Whereas increases to tuition fees would further restrict the ability of low-income youth from attending colleges and universities;

"We, the undersigned, as citizens of the province of Ontario, petition the Legislative Assembly of Ontario as follows:

"We ask that the Ontario government ensure post-secondary tuition levels not exceed the current levels, and that when feasible the province look at enacting measures which make post-secondary education more accessible to those with low incomes."

This petition has been signed by 779 constituents in my riding of Sarnia and surrounding area, and I submit the petition.

INTRODUCTION OF BILLS

EAST PARRY SOUND BOARD OF EDUCATION
AND TEACHERS DISPUTE SETTLEMENT ACT, 1993

LOI DE 1993 SUR LE RÈGLEMENT
DU CONFLIT ENTRE LE CONSEIL DE L'ÉDUCATION
APPELÉ THE EAST PARRY SOUND BOARD
OF EDUCATION ET SES ENSEIGNANTS

On motion by Mr Cooke, the following bill was given first reading:

Bill 128, An Act to settle the East Parry Sound Board of Education and Teachers Dispute / Projet de loi 128, Loi visant à régler le conflit entre le conseil de l'éducation appelé The East Parry Sound Board of Education et ses enseignants.

TOWNSHIP OF DYSART ACT, 1993

On motion by Mr Waters, the following bill was given first reading:

Bill Pr39, An Act respecting the United Townships of Dysart, Bruton, Clyde, Dudley, Harcourt, Eyre, Guilford,

Harburn and Havelock.

GROUPE CONCORDE INC ACT, 1993

On motion by Mr Harris, the following bill was given first reading:

Bill Pr68, An Act to revive Le Groupe Concorde Inc.
1520

INTERVENTION OF ATTORNEY GENERAL

Mr Tim Murphy (St George-St David): On a point of privilege, Mr Speaker: I apologize for not giving prior written notice in the way I normally do, but I will provide, if I can, some written information. It relates to two circumstances involving the Attorney General arguing before courts of this province and in one case of this country that laws passed by this Legislature are unconstitutional.

My concern is that by so doing that is a breach of my privileges as a member and the privileges of all members in this House by going beyond the authority vested in the executive.

Let me outline the two circumstances. In April of this year the Attorney General intervened in a case of two people of the same sex, one of whom was trying to declare that the Family Law Act was unconstitutional. The Attorney General intervened in that case to agree and to argue before that court that the law as it stood on the books was unconstitutional.

In addition, before the Supreme Court of Canada the Attorney General is arguing that a law relating to insurance is also in breach of the charter and is therefore unconstitutional. In that case, Chief Justice Antonio Lamer adjourned the proceedings because he had found the fact that the Attorney General was arguing against a duly passed law to be unprecedented.

He went on to say this: "If we agree that section 15 has been restricted, we are finding that the Legislature of Ontario violated the fundamental law of Canada. Before branding a whole Legislature or at least those who voted for the law in question in violation of the fundamental law of Canada, I for one think that these people are entitled to their day in court."

He goes on: "I for one question whether it is possible for an Attorney General to make a concession that the House violated the charter. I would not want to be a member of that House and see my lawyer make that concession."

The point goes really to what is the appropriate scope of executive action as related to legislative action. It's a principle really of responsible government.

I refer to the Ministry of the Attorney General Act, where the Attorney General is provided with responsibility to see that the administration of public affairs is in accordance with the law. In the Constitution Act the authority over exclusive powers is provided to the provincial Legislature and not to the executive.

That principle is I believe an important one, stretching back as far as Lord Durham's report.

I'm quoting from Creighton, *Dominion of the North*, in which it says, "But the crown must on the other hand submit to the necessary consequences of representative

institutions, and if it has to carry on the government in unison with the representative body, it must consent to carry it on by means of those in whom that representative body has confidence."

In like fashion, in a similar quote from A.V. Dicey on the constitutional law of Canada, he says, "There does not exist in any part of the British Empire any person or body of persons, executive, legislative or judicial, which can pronounce void any enactment passed by the"—in this case—"British Parliament, on the ground of such enactment being opposed to the Constitution on any ground whatever, except, of course, its being repealed by Parliament."

This has been obviously modified by the charter to the extent that it provides the judiciary with authority to rule that certain laws are unconstitutional, but it does not transfer any power to the executive as opposed to the Legislature.

I'm not asking for a ruling from you, Mr Speaker, as to its legality or as to the policy involved in the decision made by the Attorney General. It may very well be that there are people in this assembly who support the very provisions that are being asked to be found unconstitutional, or alternatively, think they are inappropriate and should be changed, but the appropriate form to do that in terms of the executive's responsibility is in the Legislature.

My privileges as a member, Mr Speaker, are twofold, as you well know: One of them is the freedom of expression and also the freedom to vote. I think those are being impinged upon by the fact that the Attorney General is going beyond the scope of authority to try to change laws without giving me the opportunity to vote and speak on those issue, and that's the key.

It's not an attempt to do what I could do otherwise, for example, in a court of law. I couldn't intervene in those proceedings to say, "This is beyond the scope of the Attorney General," because the court would ask, "What's your view on the issue?" That's not why I'm raising it. I'm raising it because it is an issue of the Attorney General going beyond the appropriate scope of executive authority, and that is the reason I raise it.

It's not a partisan thing. It's not to say that the Attorney General is taking positions that I believe to be unconstitutional or inappropriate in a policy sense. In fact, I could argue that I support them. My concern is really as a member.

What I would like to do, Mr Speaker, is to have you find that this is a sufficient case under the privileges law or rules and precedent—I don't know where that's found, in either the contempt provisions or general privileges—so that you can put the question before the House of whether my privileges have been violated. I would move for that debate to happen subject to your finding on a *prima facie* basis that those privileges have been violated.
1530

The Deputy Speaker (Mr Gilles E. Morin): I want to thank the member for St George-St David for bringing this matter to my attention. I will reserve judgement and will advise you accordingly in the near future.

ORDERS OF THE DAY

Hon Brian A. Charlton (Government House Leader): I believe we have an agreement, and I seek consent, to deal with the bill which the Minister of Education and Training has just introduced on the education situation in east Parry Sound at second and third reading this afternoon.

The Deputy Speaker (Mr Gilles E. Morin): Is there unanimous consent? Agreed. I understand that copies of the bill were not distributed. We'll take the time to do so immediately.

EAST PARRY SOUND BOARD OF EDUCATION
AND TEACHERS DISPUTE SETTLEMENT ACT, 1993LOI DE 1993 SUR LE RÈGLEMENT
DU CONFLIT ENTRE LE CONSEIL DE L'ÉDUCATION
APPELÉ THE EAST PARRY SOUND BOARD
OF EDUCATION ET SES ENSEIGNANTS

Mr Cooke moved second reading of the following bill:

Bill 128, An Act to settle the East Parry Sound Board of Education and Teachers Dispute / Projet de loi 128, Loi visant à régler le conflit entre le conseil de l'éducation appelé The East Parry Sound Board of Education et ses enseignants.

Hon David S. Cooke (Minister of Education and Training): I'm going to be very brief, and I appreciate the cooperation of all members of the House and in particular the member for Parry Sound and the Liberal Education critic.

I just would like to start off by making one point: I wouldn't want anybody in this province to interpret the fact that this legislation will go through the House fairly quickly this afternoon as an indication that this government or, I would argue, anybody in the Legislature takes this move and this piece of legislation in a light way. This is a very significant move when a government or a Legislature passes legislation to end a dispute between management and labour, and I don't believe that any of us do this with any great deal of delight at all. So I just don't want anyone to interpret the speed with which this bill will be dealt with in the wrong way.

I will just spend a couple of minutes running through a little bit of the history in east Parry Sound and some of the provisions in this legislation which are unique and I think helpful in resolving this dispute and perhaps in sending a message to other school boards and teachers' organizations elsewhere in the province.

First of all, this dispute and negotiations have been going on now for 22 months. The previous collective agreement expired on August 31, 1992. Of course, this is an elementary school teachers' dispute. There have been several attempts at negotiations and at mediation. The Education Relations Commission has been very much involved in this situation to try to find a solution, but this particular dispute is now the second-longest strike at the elementary level. It obviously becomes necessary, when the Education Relations Commission determines that there is a case of jeopardy, that in particular the Minister of Education recommend to the Legislature that action be taken to end the dispute. That recommendation formally came to me yesterday by the Education Relations Commission. I was advised on Friday by the ERC that it was

The Deputy Speaker (Mr Gilles E. Morin): I want to thank the member for St George-St David for bringing this matter to my attention. I will reserve judgement and will advise you accordingly in the near future. I am not particularly optimistic that anything could be done to find a solution.

On Friday, from my office, we contacted the board and contacted the teachers and asked that they come to Toronto, whereby I could meet with the parties along with the Education Relations Commission and have one more attempt at finding a solution. We did that yesterday. The parties came in, I believe, at 10 in the morning. I met with them for an hour or better and got the parties to agree to continue with mediation, and that collapsed at about 4 o'clock yesterday afternoon.

It was at that point that I raised with the teachers and the board the possibility of opening up the schools today even in the absence of passing the legislation. I appreciate the fact that both of the federations and the board—but both of the federations—agreed to do that. It's only one day, but one day when you've had a strike going on this long is significant. It's my understanding that this is the first time the teachers have agreed to actually go into the classrooms before the legislation is passed, and I appreciate that agreement from the teachers.

I'll say one more thing before I get into the details of the legislation. It was absolutely clear to me before yesterday, but even clearer when sitting in with the parties yesterday, that there is no reason why this legislation should have to come forward. A settlement was achievable in this particular case. The distance between the board and the teachers on the issue of benefits was not significant. The teachers indicated very clearly that they were prepared to find savings in the benefits package for the board. It was not in exactly the same way that the board wanted to do it, but as the teachers said, "If it's the dollars you're looking at saving, why not let us find the dollars and the mechanism to save them by streamlining the way benefits are delivered and other changes that could take place that unions and federations have had some examples of getting involved in in other jurisdictions?"

So it was possible. The board had a different view. The board had a view that they wanted a particular cap on the benefits and that they were not willing to move off that position at all.

I think the sad thing in this case is that the settlement was achievable, and all of us in this place know that it's much better if a settlement can be achieved at the bargaining table for the long-term relationship between the board and the teachers. I very much regret the fact that a settlement was not achieved yesterday.

One other point. I think that in the province, where boards have made deliberate decisions to unilaterally change the collective agreement, and in this particular case the board—it depends on whose numbers you want to use and how many times you count an amendment to the collective agreement, but it's clear that in this particular case there were dozens of unilateral changes to the collective agreement. That of course is going to result in a response from the teachers' federations.

I believe it would be in the best interests of students right across this province if the boards refrained from using that section of Bill 100. As Mr Wells said when it was introduced, it was to be used in the rarest of all occasions, and it's now being used to the extent where it is causing disruption in the system.

I'm going to run through some of the significant clauses of this legislation. Obviously, the purpose of the legislation and the beginning of it deals with the termination of the dispute between the board and the teachers. The teachers returned to the classrooms today.

As I guess in most cases, the parties can continue if they wish to negotiate right up to the time the arbitrator sends or delivers his decision and makes the award. I still encourage the parties to do that. That process is normal, that that's available to the parties, but none the less that will not hold up the arbitration, either the decision or the hearing.

If no agreement is made by December 7, 1993, just a few days away, the parties will be deemed to have gone to arbitration under the School Boards and Teachers Collective Negotiations Act. Leading up to that are a whole series of dates as we get to the point where hearings take place, and identification of the outstanding issues to go to arbitration.

This legislation also—and the member for Parry Sound or the Liberal critic made the point today of a connection between the social contract. I'd ask members to specifically look at the section of the act that refers to the social contract. The items that can go through arbitration that are also subject to local agreements with the social contract legislation are the items that must be solved, because they have a direct impact on the overall collective agreement. In this particular case, there's a question dealing with benefits that we've heard about that we assume will probably have to be dealt with. But I think the member is stretching it if he draws the close connection between social contract and these particular contract negotiations. There is a link on one particular item, but even that link is not central to either this piece of legislation or the ability to have found a local agreement.

As I indicated earlier, we've put a time line on the time by which the arbitration panel must report. I should indicate that this is a three-person panel. The board will appoint a person, the teachers will appoint a person, and hopefully they can agree on a chair. If they can't agree on the chair, then we will appoint the chair. If nobody gives us any names, we'll appoint everybody, but I assume this will go in the direction that it normally does. So it's a three-person panel. The decision must be made by March 1, 1994, and that's the latest date. If the arbitration panel can, I certainly would hope that it would report earlier.

1540

The parties must file a joint plan concerning the makeup of loss of instructional time. The difference in this piece of legislation from others in the past, and in particular the Lambton one, is that this piece of legislation says, "Yes, the two parties should file a plan to make up lost time," and that's normally all that's in the legislation, but we have added an additional section this time

because we found it difficult in Lambton to get the parties to actually come to an agreement on the joint plan. In fact, originally they filed two separate plans.

This piece of legislation gives the minister the power—if the parties don't agree on a plan, then we can do it. This legislation also gives the power to the minister to extend the school year if necessary, all powers which are not provided in the Education Act generally at each board level. So this guarantees that we can act in the interests of the students.

I would say, however, that I don't want to use those sections of the act. The best way of developing the joint plan is the way it has always been done in the province and the way it was ultimately done in Lambton, and that is for the parties to work on that together and file a joint plan.

We've also put a section in this bill asking the Education Relations Commission to determine whether the parties were negotiating in good faith. I don't believe that's ever been in a piece of legislation like this before, but it certainly is my concern and I think it's a concern of others that there should have been a settlement in this area and that we need to determine whether that motivation was there on either party's side.

Parties are to file a plan as to how they will improve their relationship. That is a normal section of the legislation. Certainly I hope the parties will do that, although we all know that if the teachers and the board are not willing to repair that relationship—and there hasn't been a great one up that way even in the past—if the parties are not willing to do that, then there's nothing we can put into the legislation to force them to improve their working relationship. But I can tell you that for the kids in the Parry Sound community, I hope the board and the teachers will take this section of the legislation seriously. It's absolutely essential so that those relationships can be repaired and this type of situation doesn't happen again.

I'll just finish by saying that these are difficult decisions to make, but in the end, the responsibility of this Legislature and the responsibility of a government and a Minister of Education is to make sure that the interests of the students are protected. That of course has to be balanced with the right that everybody in this place has agreed on: Teachers have a right to withdraw their services. That's a right that workers across the province have.

That balance is provided for under Bill 100, that the Education Relations Commission continues to offer services and review the length of labour disputes. They make a determination under the legislation of when the school year is in jeopardy. I know it's easy for members to say, "You could have done this 10 days ago; you could have done this 15 days ago," but the reality of that would be one that would encourage other labour disputes and that would not encourage responsibility at the local level. The reality is that while there have been over 70 strikes in the schools in this province since Bill 100 came into effect in the mid-1970s, the vast majority of those—all but eight, now—have been settled, even though a strike occurred, by negotiations at the local level. That's still the best way to go.

So it's a balance that we have to try to achieve between the protection of students, the recommendations from the Education Relations Commission and making sure that we don't intervene so as to encourage labour disputes across the province and therefore more strikes and more lost time for students. By and large, Bill 100 has worked extremely well in this province since it was brought in during the 1970s.

I'll conclude by saying that I particularly want to thank the local member, Mr Eves, in this case. Teachers' strikes are always difficult and are quite often easy opportunities to play politics with at the local level and in this Legislature. I want to say that that has not happened with this member. Behind the scenes, the member has attempted to be helpful and encourage a settlement and I congratulate him on that. He's been very helpful, and I just wish it had worked out in a different way.

The Deputy Speaker: Questions or comments?

Mr James J. Bradley (St Catharines): I simply want to note in my comments on the minister's speech that there was not a discussion of the role the NDP has played in the past on these matters of these strikes. I want to say, so that the people can see, particularly members of the teaching profession, that the NDP in principle is somewhat different from the NDP in power.

I understand it; I'm not critical of the minister in terms of what he feels he has to do today. But for years I sat in this House and watched the NDP vote against every piece of back-to-work legislation and denounce that as being strikebreaking.

Now I see an NDP government, for the second time, I believe, in terms of the teaching profession, ordering teachers back to work; in other words, breaking a strike. That's what happens, I guess, when one assumes the responsibilities of office. One could be more sympathetic to the minister and to members of the government if one did not recall the many fights in the past, whether it was the transit workers in Metropolitan Toronto or whether it was teachers across the province. The NDP stood in the House, collectively and together, to vote against such legislation.

I remember this well, because I know that many members of the top echelons of the various affiliates of the teachers' federation in Ontario suggested that perhaps the NDP would be the best choice for teachers in terms of making their selection at election time. One of the reasons they thought that was true was because they thought the NDP would never be breaking any strikes, never ordering people back to work and never, of course, imposing the kind of restraint that is contemplated in the provision known as the so-called social contract.

I hope that those people who counselled the teachers to vote in that way will well remember their counsel and that those teachers who listened to that counsel will remember that that promise was not fulfilled by the government and by the party they adhered to with such enthusiasm in years gone by.

The Deputy Speaker: Any further questions or comments? If not, Minister, you have two minutes to reply.

Hon Mr Cooke: I should point out a couple of things to the member for St Catharines. First, in the Lambton case, the Ontario Secondary School Teachers' Federation actually publicly asked and supported back—well, legislation to end the dispute between the board and the teachers. I don't like to use some of the language the member for St Catharines uses. In Lambton that was the case.

And yesterday in east Parry Sound, both the president of the Federation of Women Teachers' Associations of Ontario and the president of the Ontario Public School Teachers' Federation were at the meeting, so local people as well as provincial people were there. I can tell the member that both the federations and the board said there was no solution to this dispute, that it would not be solved at the bargaining table. That was absolutely clear, and therefore the only alternative was to bring in this legislation here today.

The member can say, "You did this when you were in opposition." I could go back to 1977—the member for St Catharines and I first got elected together in 1977—and I could review all of his positions when he was in opposition from 1977 to 1985. There was nobody more inconsistent than the member for St Catharines when he was in opposition from when he went to government. I remember all of the questions about advertising and all of the junk that he then came over here and did the exact opposite. I guess there always is, in Parliament, a tradition between being in opposition and—the inconsistencies when you're in opposition as opposed to government.

I personally feel that Bill 100 is a good piece of legislation, but that legislation is clear. There comes a point when a labour dispute has to be ended in order to protect the right to public education. That's a position we supported when we were in opposition when we supported Bill 100. I think it's incumbent upon us as a responsible government to act and act with conviction, and I do that.

1550

The Deputy Speaker: Any further debate?

Mr Charles Beer (York North): Let me first of all say that we will be supporting the legislation. But in saying that, I do want to make some comments both on the bill and also a very deep concern about where we are headed in the educational sector with this whole question of the strikes we've had and also the potential for further strikes. I want to first of all deal with the bill and then make a few more general comments.

The major difference between the bill we're dealing with today and the one we dealt with with respect to Lambton some five weeks ago, as the minister has noted, is that in the Lambton bill, where there was not going to be an agreement between the parties, then the minister would have the authority and the power to come in and impose a settlement, and if I recall correctly, I think they have until December 6 to do that. But with this particular bill, it's stated that if the parties have not entered into a new collective agreement on or before December 7, 1993, then the arbitration process begins.

When we look at this bill or we look at Lambton—and I think everyone would agree that any time we have to

deal with this sort of legislation, what it marks is failure. There are no two ways about that, and we shouldn't try to gloss that over. The minister has indicated that there was agreement from the parties that one had to go forward and do this. In fairness to the parties involved, I think they would say as well that this was not a happy solution. We're all grateful that the teachers in east Parry Sound indicated yesterday that they would go back into the classroom this morning and begin teaching on the assumption that this bill would be passed, and it will be, later today.

But what is really worrisome is just, where are we going? We know the secondary teachers in east Parry Sound are still out and the Windsor elementary teachers are out. As has been noted, if one looks at the Education Relations Commission material, there are a number of other strikes that could occur between now and the next several weeks and months as we go into 1994. I think the minister and the government would agree that what we really don't want to do and indeed can't do on a regular basis is have to deal with back-to-work legislation on a monthly basis. This is not an acceptable way to deal with the issues at hand.

While, as I understand, the Education Relations Commission has indicated that in this case it wanted arbitration, in the case of Lambton it preferred to put it into the hands of the minister. Legislation does send out messages. While the minister may be saying that he doesn't want interpretations placed upon it, one has to be concerned that, whether it's the teachers or the boards, in other jurisdictions they're going to look at this and say, "We'll just leave it, and at some point the minister will come in and settle it for us." That's a disturbing element of what's here today.

Also, just in principle, one doesn't like to see arbitration; what one wants is the parties to deal with it. That's why I said in my comments earlier today, and I repeat, that I think the one thing that is new and different since the summer has been the imposition of the social contract. For the minister to pretend that it has not influenced, shaded, nuanced the discussions and the negotiations simply doesn't meet the facts.

There is a real problem when you talk with the school board associations, with the teachers' federations, in terms of how they are trying to deal with the reality of the social contract, the reality of the expenditure reductions and what they have done to collective bargaining. I think the minister would be advised to recognize that those have had an impact.

One of the issues that has been raised with us and that I want to raise in my remarks is this question of the 60-day period after a fact-finder's report where, under Bill 100, under the original bill that deals with teachers' collective bargaining, a board then, at the end of the fact-finder's report, may do a variety of things to existing collective agreements.

In terms of what we have heard from the federations, this is the part that is most difficult for them to deal with and the concerns that they have around what the government is considering to deal with that. On the other side, when one talks with the board, it says with some legit-

imacy, "The government has taken away our ability to manoeuvre through the expenditure controls and through the social contract, and so we need something in order to gain"—from their perspective, what in their view is a more equal playing field.

I think the point at issue is that this particular point in other areas could also become a very significant factor in terms of whether we're going to have further strikes, and that the minister is going to have to get together with the boards and the federations to talk about how we get through this period from now until the end of the social contract. While I recognize the dilemma where you have a process set up with the Education Relations Commission and you have a process of collective bargaining, we are not, as a society, going to be able to have, every couple of months, strikes of this duration without there being a profound reaction in the population out there saying, "Look, this must end."

I say that because again we supported what we call Bill 100, which brought about the collective bargaining system that we have. We agree that on balance it has worked well. There have been instances, under the Conservatives, under the Liberals as well, where legislation had to be brought in, but basically that has worked well. But the faith in that system and the confidence in that system are not going to be able to withstand too many more situations where back-to-work legislation has to be brought in and where then the cries for changes in the collective bargaining system are going to be much greater.

I would say to the minister that I hope, prior to the break at Christmas, that he will have some very serious discussions with the leadership of the public and separate school boards and the teachers' federations to look at ways that we can deal with these sorts of situations and come to some kind of understanding that is going to permit us to avoid strikes during the duration of the social contract.

I think as part of that, and we talked about this in the standing committee on estimates a few weeks ago with the minister, we need to start looking at how we're going to make some of the changes from the Knopf report, which was prepared on changes to Bill 100. I know the minister has said that this is perhaps not the best time to launch a full-scale review, and I appreciate the point that he's making, but again, there are some areas where I think there is agreement between the boards and the federations that would improve the system. We need to find those and try to put those into place so that we can avoid the long period of negotiation of, I think it was noted in the case of East Parry Sound, the one we're dealing with, some 22 months.

I know that in talking to other members, both on this side and on the government side, who've been involved with private sector unions in the negotiations that go on there, they have brought in a number of methods of various process issues to try to shorten the period of time in which you are determining what the key issues are and then really getting to the issue at hand and trying to resolve it.

I think that was at the root of a number of the Knopf

report recommendations, that to a certain extent some of the mechanisms that were in Bill 100 for collective bargaining really served to exacerbate and to worsen the situation, because the discussions would go on and on and on. I think for both parties, school board and teachers, we need to try to shorten that period so that it can be dealt with much more effectively.

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The other point that is in both this legislation and the legislation that we had on Lambton concerned setting out a point—I think it's on or before May 2, 1994, and this date is the same in the Lambton legislation as it is in this—where the parties, the teachers' federations and the school board, "shall jointly submit to the Minister of Education and Training and to the Education Relations Commission a plan outlining the steps the parties will take to improve their relationship."

I say to the minister that I really do believe that he and the ministry have got to be party to that and to appreciate that part of the problem at the root of a number of these disputes is precisely what has been happening in terms of everything from transfer payments through to the social contract and that this does form part of the environment within which these negotiations are ongoing.

While he might not think so, what we hear from school boards and teachers' federations is the feeling that the ministry has sort of said, "We've passed these different acts, we've made these regulations in terms of the funds that are going to be transferred, and now it's simply up to you." They keep saying that they don't see any real direction that is coming from the ministry in terms of how they should handle this and how this should be part of their negotiating process.

I would hope that as the ministry tries to encourage and work with these boards and with the teachers' federations, the ministry itself will be very much involved and really looking with the boards and with the teachers at ways in which the kinds of cuts that have to be taken can be done in a way that is going to be more acceptable to everyone involved and where there isn't that sense that in effect the ministry has left the two on their own and they're going to have to go to battle.

I referred earlier today to the article in the London Free Press of last weekend. I don't have time to read this whole article, but it makes for very disturbing reading in terms of what a conflict like this does in a community. This is precisely, I think, what should guide all of us—teachers, trustees, members in the House—to try to make sure that we don't keep going through this sort of situation.

I'm going to conclude my remarks by again saying that while we will be supporting the bill that has been brought in, we have some very grave worries and concerns about the future and other possible strikes that may occur and how we are going to deal with the two that are still outstanding and to really urge to the minister that we can't leave all of this to the Education Relations Commission and to some hope that it's going to be resolved.

I think the teachers and the boards need some better direction from the minister and from the government on

how we're going to deal with this difficult period of financial restraint during the social contract and to get in with them to try to find the solutions.

Mr Ernie L. Eves (Parry Sound): I'm going to be quite brief this afternoon. I'm sure honourable members will be happy to hear that. I just wanted to touch on a few items, primarily with respect to the report of the ERC and several of the statements it makes with respect to what has ultimately resulted in this legislation before us today.

As I said in response very briefly to the minister's statement earlier this afternoon, I believe the important aspect of this matter is that the students are back in the classroom. I think that should be everybody's first and principal concern.

I would also like to thank the elementary panel for agreeing to return to the classroom today, before the legislation was passed. That is a somewhat unique, if not only, time that has ever happened, as the minister I believe has alluded to in his remarks. That is appreciated because, after all, the students have lost close to 40 instructional days out of their school year.

I want to touch briefly on a couple of things talked about in the report—"the advisement" I guess is the proper terminology—from the Education Relations Commission. On page 2, and going on for a few pages, they talk about the local situation, and I think it's important to touch on a few aspects of the local situation.

As I believe the minister has also indicated, the negotiation between these parties has gone on for some 22 months, which is almost two years. The collective agreement that was in place expired some 15 months ago. During the last 15 months, the parties have been through a fact-finding process, on October 23, 1992. They've been through three successive mediators: Dr Tom Bastedo, on December 11, 1992; Dr David Whitehead, on September 9, 1993; and Dr Bill Marcotte, on October 21, 1993. There have been several attempts at mediation.

I was somewhat hopeful, as I'm sure all the parties were, with the mediation sessions that were gone into during January 1993, and a tentative settlement was reached during that process. Unfortunately, and I understand in a very narrow vote, that was turned down by the local members on February 2, 1993.

Then, in the intervening period of time—and the ERC goes out of its way to point this out—we had the introduction of the Social Contract Act, and one thing led to another. I'm not saying the entire dispute is because of the Social Contract Act, but I certainly think there has been a contributing factor with respect to that piece of legislation.

Ultimately, of course, we know that on October 6, 187 teachers in the elementary panel of the east Parry Sound board withdrew their services entirely and there were approximately 600 students left without an education for a considerable period of time.

I did organize a public meeting, which was held in the riding on November 18, a couple of Thursdays ago. Quite frankly, I did so in an attempt to, first, bring the parties together, but also to allow the public, especially the

parents and the students, to have an opportunity to pose very direct questions to both sides in this dispute.

I thought the meeting was very successful from a couple of points of view. First, I think it gave the public an opportunity to hear what both parties had to say, because they had read media reports, they had seen media reports, they had heard media reports. There had been various meetings set up by one side or the other, but they weren't exactly the most objective meetings in some aspects, because of course each side was trying to put forward its position why it was right and the other side was wrong, so to speak. From that point of view, the meeting on the 18th of the month was very good.

It was also good in that, if nothing else, it led to a renewed round of mediation, which proved to be unsuccessful unfortunately, a couple of days later, but that in turn led to the two parties meeting the ERC, and again, as the minister has already stated, ultimately a meeting with the minister himself in one last attempt to try and bring about a local resolution to these problems.

I've been somewhat frustrated throughout this dispute because I believe that the parties were not that far apart. There were a few outstanding issues, mainly revolving around benefits, that the parties either should have been able to resolve themselves or, failing that, should have at least been able to say, "We agree to disagree," and request a procedure somewhat similar to what is taking place here today.

I really believe—the minister may disagree with me—that we could have come to this conclusion about a month ago. Hindsight's always great, but unfortunately we've cost some of these students four weeks' education—"we" meaning everybody in the collective process—and I'm somewhat disappointed that the two parties couldn't have come to that conclusion on their own some time ago.

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I would like to do something somewhat unusual. I have been through other teacher disputes in my riding, one shortly after I was elected, in the secondary panel in west Parry Sound, which was a very bitter dispute that went on for some 51 instructional days. I would like to compliment Dr Ed Aim of the Education Relations Commission. I didn't think he would attend the public meeting on November 18. He not only attended, he took his place on the stage and answered in a very forthright and direct manner some very, very difficult questions from some very emotional parents and ratepayers.

I also think the meeting on the 18th was useful in that it allowed both sides, both parties to this dispute to see the emotional and the social effect that was being felt in the community by students and upon families. In fact, the Education Relations Commission in its advisement also refers to that in its documentation as to one of the reasons why it found or ultimately came to the conclusion that the students' educational year was indeed in jeopardy.

It talks about the fact that: "Stresses develop within families, social problems materialize and younger children do not understand the issues behind and the

reasons for a strike. Many conclude that their teachers 'do not like them.'" Of course, I think we all know that is not the case.

It goes on to talk about the "social aspects of a dispute create a form of jeopardy," particularly in a board such as east Parry Sound—I'm not quoting now—where you have geographically distant and small communities, many of which go to comprise a rather large board in terms of geographical area.

Ultimately on page 6 of their advisement, the Education Relations Commission goes on to say, "These not inconsequential matters"—they were talking about inconsequential matters, they were talking about rounds of negotiations "marked by allegations of bad-faith bargaining, charges of an improper lockout, grievances, wholesale changes to terms and conditions contained in the expired collective agreement, a full withdrawal of services, the hiring of lay assistants, a death threat to the chair of the school board and considerable innuendo as to improper operations within the system."

"These not inconsequential matters," the ERC says, "have been further complicated by the introduction of the social contract process. Differences between the parties as to the impact of the sectoral framework document on their local negotiations have had a significant and negative effect upon the possibility of their concluding a settlement."

I understand that the minister may disagree with this. However, there it is in black and white. It isn't me or another honourable member stating this. It's the Education Relations Commission, and its advisement document itself is recognizing the fact that the social contract legislation indeed has had, to quote them, "a significant and negative effect upon the possibility of the parties concluding a settlement." I think that speaks for itself.

I think another important aspect of this matter is that in the legislation itself that the minister has introduced here today he provides for the arbitration board to deal with these issues related to the local agreement under the Social Contract Act, "that relate to the negotiations for the collective agreement shall deal with those issues in accordance with that act."

Obviously there is a problem and a significant problem with respect to that legislation and what the two parties perceive their rights may be under that legislation, and that I think ultimately was the final stumbling block or the crux of the issue, when they came down, that's basically what the dispute ended up being about at the end of the day after other things had been agreed upon.

I'm not going to go through the mechanics of the arbitration process; I believe the minister has done that fairly adequately.

On pages 7 and 8, again the ERC outlines in a very succinct form that this award, the board of arbitration, if it ends up setting the terms of the new agreement, shall be for a minimum duration of three years, that the board of arbitration will have the jurisdiction to deal with any outstanding issues relating to the social contract as it applies to this set of negotiations, and it goes on to talk about each party paying the fees and expenses of its

nominee and equally sharing in the expenses of the chair of the board of arbitration.

The only other aspect of this that is somewhat unusual, I might say, is the ERC inquiry into determination of whether or not either or both of the parties to the dispute was negotiating in good faith and making every reasonable effort to come up with a new collective agreement. I guess I understand why it's in there. I note that it is somewhat unusual, to say the least.

There's only one other aspect of this matter I'd like to deal with, that in the East Parry Sound Board of Education area, because of the way the Ministry of Education has changed its grant process and its formula, especially having to do with not only east Parry Sound but west Parry Sound and other rural northern Ontario school boards as well—because of, to name a couple, transportation, goods and services, weighting factor, these boards in rural northern Ontario have been dramatically affected by the change at the Ministry of Education in determining the formula to determine how provincial moneys will be advanced to these types of boards. They do not have a large tax base. They have virtually no commercial or industrial tax base to draw from. It is all basically residential and, in some cases, not all too affluent either.

Between 1991 and 1992, the East Parry Sound board, for example, saw its total grant base drop approximately \$632,000; 1993 brought a further erosion on top of that \$632,000 of the provincial grant base of approximately \$725,000, and it is estimated that in 1994 this board will see a further revenue loss of some \$950,000, or almost \$1 million, to a very small board that does not have the ability to raise a lot of money on its own.

This net revenue loss will have an approximate 9.5% increase on local combined elementary and secondary rates if they are to absorb this reduction in provincial funding. Again, I don't say this is the only reason for part of the problems in this dispute, but it's certainly a contributing reason for why we find ourselves where we find ourselves today.

I would also like to comment now on the situation, very briefly, with respect to the secondary panel. It is my understanding, from talking to the minister in the House earlier this afternoon, that he has had discussions with both the board and the OSSTF. It would be my hope, as I am sure it is his, that those two parties will not see it necessary to come to the same sort of result, ie, legislation. Surely they can follow the parameters that are set out in this legislation: They can either sit down and agree to resolve their differences or they can resolve their differences by arbitration, if need be by agreement. I do not see any need to penalize secondary students in the east Parry Sound system. I think this legislation sets out a fair format for both sides and I would urge both sides in that dispute to follow it as well.

The Deputy Speaker: Any questions or comments? If not, are there any other members who wish to participate in this debate?

Mrs Dianne Cunningham (London North): Very briefly, I think my colleague from Parry Sound has stated his position very well and very professionally. I was interested to hear the minister compliment him on his role

in trying to present some kind of a forum and participate in a forum where all parties, public and parents, could get their questions answered.

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I too would like to thank at this point in time Dr Ed Aim of the ERC. We have found him in the past, and certainly more recently, to be most communicable and helpful with our questions. I think in this process that we're all involved in, looking for solutions to challenges in our school system and elsewhere, in his position at the ERC he's to be commended for his openness in assisting all of us and advising the minister from time to time. I think that's our role, when we have some ideas for him, drawing to his attention some of the problems in the system when we feel he either has not been made aware of them or there are a number of varying points of view.

On the issue of strikes in Ontario in the last few months, after the passage and the implications of the social contract legislation, I think the last two bills we've had to deal with as a result of teachers' strikes both in Lambton and Parry Sound ought to be a lesson to all school boards and teachers and to this ministry.

It's our view, because of some of the conflicting clauses within the social contract legislation—I don't say the clauses are conflicting on purpose. I think the intent of the clauses is sometimes misunderstood, and the different points of view with regard to what they really mean are causing a lot of difficulties in the collective bargaining process across the province.

I can be very specific in that regard. When we asked the minister a question on October 21 with regard to Bill 48, subsection 24(5), we were talking there about compensation being fixed as a result of the social contract for any boards that did not have a collective agreement in force before June 14, 1993. The minister answered the question and I think his answer in fact confused boards. They now think that isn't one of the terms of the social contract.

Hon Mr Cooke: That's not what the act says.

Mrs Cunningham: Further on, as the minister points out to me now, when you read the act, there's another clause that in fact conflicts with that one. So there are many implications of the social contract that are not well understood, and some of the principles, many boards feel now, as a result of these two pieces of back-to-work legislation, have been simply thrown away. Therefore, I think what we probably have are further conflicts and further concerns.

I think the minister's going to have to do a couple of things. First of all, he's going to have to seriously look at the strikes that are pending. He's going to also have to take a look at any work to rule, which in many boards' and parents' views are strikes, and he's going to have to take a look at last offers.

The east Parry Sound secondary school teachers of course have been on strike since November 10. I think the member has commended the process of this legislation that we're speaking to today and advised the secondary teachers that they ought to take a look at that as a format for solving their problems locally.

Certainly, Windsor elementary has been out since November 8. Windsor secondary, November 18, voted to work to rule.

Hon Mr Cooke: Windsor secondary is not out. Windsor secondary did not go out.

Mrs Cunningham: They voted to work to rule on November 18. The minister advises me that's not a strike. My view is that for many of the students and their families, they would look at that as a form of strike.

Hon Mr Cooke: They are not on strike.

Mrs Cunningham: The minister seems to be very worried about that. I'm just making the observation that it is in his own backyard. He now does have some examples of the kinds of things that can happen to students when they're not in school, the kinds of feelings that erode across communities on behalf of parents and teachers, misinterpretation of the issues—I'm not here to interpret issues today. That's his concern in Windsor. I suppose if I had the problem in London I'd have to get tremendously involved, but that is not my purpose today.

My purpose is to say that there's nothing gained in teachers' strikes for anybody. There have never been significant gains; there are tremendous losses on behalf of all parties. If in fact the teachers are correct in stating, as they did last week when they met with both critics, that the social contract legislation is behind many of the issues, then I think the minister had better take a look very closely at what those issues are, where the misunderstandings are, enter into some open discussions with all school boards and teachers during the break and try to deter any ideas or actions of either work to rule or strikes that may be in the minds of teachers and/or school boards across the province.

We know that the Leeds-Grenville elementary was holding its last-offer vote on November 22. We know that York elementary has asked for a strike vote in December. We know that Brant county secondary on November 23 voted to work to rule. Personally, I think most parents consider the whole attitude of that kind of action is contradictory to setting an element of role-modelling for students within their own community. I think the fact that Lambton county had to be legislated back is an example of the problems that we have in the province today as a result of social contract legislation.

Our track record is that we have this fall two boards that have had to be legislated back, we have two boards that continue to be on strike, we have two other boards that are working to rule and we have two boards that are holding strike votes. I think quite frankly the minister's plate is very full. I think that detracts from some of the real issues in education and those are issues that have to do with curriculum, that have to do with accountability not only of the students but of the teachers, the concerns of the public around standards in our schools that the minister should be dealing with, the concerns of the public with regard to meaningful curriculum, of a long-standing hope, I think, of not only the minister—because he was in opposition for a number of years; he now has a wonderful opportunity to take a look at apprenticeship training and cooperative education programs. My understanding is that his ministry is doing that, but surely this

kind of upheaval in our school system, with more pending—

Hon Mr Cooke: Don't exaggerate.

Mrs Cunningham: —takes a lot of his time. He's accusing me of exaggerating, but I have to tell you, Mr Speaker, we know in our offices, all of us in this House, what the issues of the day are because our phones ring a lot around strikes and students being out—

Hon Mr Cooke: Dianne, you're not the only one who gets phone calls. Don't exaggerate.

Mrs Cunningham: —and not in the classrooms. The minister's concerned that I'm the only person getting phone calls. I would expect that I'm getting very few phone calls in comparison to the minister. But students have a right to be in school and that's why we're here talking today and pleased that the minister has taken the action that he has because we all know that it's necessary.

Just three comments on the legislation, all of which I think may have been referred to by speakers before me: With regard to section 5, if no agreement is made by December 7 etc the parties are deemed to go to arbitration under the collective school boards act, and then further subsection (7), this is the issue of good faith-bad faith—very unusual to ask the ERC to take a look at whether or not bad-faith bargaining did take place. There was a claim, my understanding is, by the teachers, but now we're asking the Education Relations Commission to go on some kind of a witchhunt as opposed to the normal process.

Hon Mr Cooke: Both sides have supported it, Dianne.

Mrs Cunningham: Again, the minister is saying "both sides." Fine. What difference does it make at this point? It's something that happened in the past. I thought we were supposed to be looking to the future and solving problems. So why bother, my point is, putting that into the legislation and giving people more work, especially—in fact, the minister has brought it to my attention—when both sides in fact have alleged this? What difference does it make.

1630

With regard to subsection 5(7), we now have a piece of legislation where we agree to refer outstanding issues, all matters, to arbitration, and of course we've got an example of an open designation on behalf of a piece of legislation that will certainly keep any arbitration board busy for a long period of time.

With regard to section 3, the collective agreement continuing on, we know there was an effort on behalf of the board. I wouldn't agree with it myself. I don't agree with stripping agreements. But I think we have an example here of the frustration of school boards in the province of Ontario. According to Bill 100, of course, the boards have that opportunity, haven't used it in the past, but I think this is an example of the frustration especially with regard to the implications of the social contract.

Quite frankly, in my view a principle has been eroded, and that is the rights of school boards under Bill 100. Now we have a clause that says, "Forget what the school

board did in this legislation; let's go back to the former agreement," even though under Bill 100 they had that opportunity.

I'll just close by saying that—

Interjection.

Mrs Cunningham: I think if the minister had been listening to me, I would have said I don't think boards should do that. However, according to the bill, which the minister doesn't agree with, Bill 100—he doesn't agree with it. Yet I find it most interesting. In the five years that I've been here, we have raised a number of times every year with the government of the day, including this government, that Bill 100 ought to have been reviewed. This would have been a perfect example of a clause that could have been discussed.

Hon Mr Cooke: Nonsense.

Mrs Cunningham: The minister says "nonsense" when it's to his advantage to say that, of course. But I have to say that there are many reasons for reviewing that legislation. Teachers have raised issues; school board trustees have raised issues. The minister preferred, in fact, rather than looking at the whole collective bargaining process, its successes and its failures, to muck it all up with the social contract legislation, which does more to interfere in the collective bargaining process than any other government in the history of this province when it comes to teacher-school board negotiations.

Hon Mr Cooke: Nonsense. You supported it on second reading.

Mrs Cunningham: He said I voted for it on second reading. Well, we tried to amend it but we were given so little time in the House. He can refer back to our statements that we made, in fact, in the House on July 7. Imagine having to talk about this on July 7 when teachers should have been spending time with their families and parents should have been away on vacation. But no; this House had to work on into and be, actually, blackmailed into working through the summer on the social contract legislation, Bill 48.

Later on this evening—and it's about 4:35 right now—we'll be blackmailed again on Bill 100, which is a piece of health legislation, where tonight until 10 o'clock, we've got some 15 people sitting before that committee, speaking to us on behalf of their professional organizations. They get 15 minutes to give their point of view, a closure motion, and that's the way this government operates.

Back to the issue of the day, Mr Speaker. In closing, I'd just like to compliment my colleague for the effort that he made on behalf of his constituents, and I'd like to compliment him again on behalf of the minister, who has already done that this afternoon, and say that this kind of disruption in our community really does take away our opportunity to move forward in this province with the real education issues.

I would hope that we can spend more time on curriculum matters, on parent involvement in schools, on the challenges of discipline, on the challenge of meaningful education in our schools today, and move away from teacher strikes, which are, I think, not appropriate in

these times, especially when people are so grateful when they themselves have jobs.

The Deputy Speaker (Mr Gilles E. Morin): Any questions or comments? Are there any other members who wish to participate in this debate? If not, Minister.

Hon Mr Cooke: Mr Speaker, I'd prefer to just move third reading of Bill 128.

The Deputy Speaker: Mr Cooke has moved second reading of Bill 128. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading? Agreed.

Hon Mr Cooke: With the unanimous consent of the House, I would seek to move third reading of Bill 128.

The Deputy Speaker: Mr Cooke moves third reading of Bill 128. Are there any members who wish to participate in this debate? If not, Minister, do you have any remarks?

Hon Mr Cooke: Just to move third reading of Bill 128.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

COMMUNITY ECONOMIC DEVELOPMENT ACT, 1993

LOI DE 1993 SUR LE DÉVELOPPEMENT
ÉCONOMIQUE COMMUNAUTAIRE

Mr White, on behalf of Mr Philip, moved third reading of Bill 40, An Act to stimulate Economic Development through the Creation of Community Economic Development Corporations and through certain amendments to the Education Act, the Municipal Act, the Planning Act and the Parkway Belt Planning and Development Act / Projet de loi 40, Loi visant à stimuler le développement économique grâce à la création de sociétés de développement économique communautaire et à certaines modifications apportées à la Loi sur l'éducation, à la Loi sur les municipalités, à la Loi sur l'aménagement du territoire et à la Loi sur la planification et l'aménagement d'une ceinture de promenade.

Mr Drummond White (Durham Centre): We have before us the amended version of Bill 40, which was debated at length over the summer months. I want to thank my colleagues in the committee for their active participation. As will be noted by many, there are amendments that will help the bill substantively.

The Community Economic Development Act is an important part of our government's three-year, \$300-million Jobs Ontario Community Action program. As members know, Jobs Ontario Community Action has three main thrusts: community development, to help communities build their capacity to organize and plan for the future; community financing, to help communities invest in themselves; and community capital, to provide capital for capital infrastructure projects identified as priorities through the planning process.

The Community Economic Development Act addresses the secondary community financing. It gives communities tools to help themselves invest in themselves and it gives municipalities added flexibility to support economic

development within their communities. This legislation responds to a serious obstacle to the economic recovery of our communities: The small business people and entrepreneurs who could be giving local economies a much-needed boost often can't do that because they can't get access to traditional sources of capital.

The legislation gives communities a way to raise their own investment capital, forge new economic partnerships and work with both traditional and non-traditional sources of expertise to provide capital for entrepreneurial opportunities. It permits the creation of two new community financing tools: community loan funds and community investment share organizations.

The community loan fund will give local investors a chance to support small businesses in their community. The fund would provide access to loans in the range of \$500 to \$15,000 for all types of microbusinesses, and local investors who put money into these funds will have the principal of those moneys guaranteed by the province.

Community investment share corporations, which will be set up by local groups, will provide a source of equity financing for enterprises and they will benefit the community as a whole. Again, the provincial government will guarantee the principal. We intend to allocate \$10 million for community loan fund guarantees and \$20 million for community investment share guarantees.

1640

Over the next five years that should support the creation of some 40 community investment share corporations and 35 community loan funds across our province. This will help communities create nearly 4,000 jobs.

The legislation also enables municipalities to participate in the establishment of community development corporations and to support the operation of those community development corporations. The government will provide some financial assistance from Jobs Ontario Community Action to help communities set up these non-profit organizations.

The legislation also amends the Municipal Act to allow municipalities to work with the private sector to finance facilities that benefit the entire community such as community centre complexes, water and sewage facilities, roads and transit facilities. Municipalities will also be able to make better use of pooled investment and borrowing arrangements among certain public sector institutions.

The Community Economic Development Act also includes amendments to the Planning Act to make the planning and development review process smoother, more efficient and more effective.

The bill was discussed at length over the summer by the standing committee on general government. The committee heard from a number of community-based organizations, including the Ontario Worker Co-op Federation, the Ontario Social Development Council, Social Investment Organization, the Calmeadow foundation, the Community Business Centre, Community Opportunities Development Association and many, many others.

They told us that this bill is important, that it is the right thing to do, an important thing to do, and to do it as

soon as is possible. Some had concerns with some of the details, but virtually all supported the idea, the philosophy behind the bill, the philosophy of empowerment of our communities.

The members will notice that a number of amendments have been made since second reading. Many of these were in response to comments that we heard in committee. I would also like to thank my colleagues for their contributions and to state very clearly that there were several amendments that came forth from my colleagues on the opposite side of the House.

We made changes, for example, to protect community loan funds from guaranteeing loans to bankrupt organizations. We strengthened administrative controls to protect the public's investment, the taxpayers' investment, and we made amendments to make the programs more accessible to co-ops.

Mr Chris Stockwell (Etobicoke West): On a point of order, Madam Speaker: Considering Mr White has gone to such great trouble to read this speech somebody wrote for him, I think we should have a quorum in here to hear it.

The Acting Speaker (Ms Margaret H. Harrington): Would the clerk please determine if there is a quorum present?

Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries): A quorum is not present.

The Acting Speaker ordered the bells rung.

Senior Clerk Assistant and Clerk of Journals: A quorum is now present, Speaker.

The Acting Speaker: Thank you. The member for Durham Centre.

Mr White: I appreciate the interest of the members opposite. I wish, however, that they took these matters which people in our communities find important—the creation of new jobs, the opportunity of people to invest in themselves—a little more seriously. These are essential issues and these are important tools.

We listened, as I was saying, to what was said to the committee. As a result, I am placing before the Legislature today a better bill. This legislation supports the strong, self-reliant local economies that are so vitally important to the financial wellbeing of the province of Ontario as a whole. This bill will help communities lead the way to jobs, growth and economic prosperity.

The Acting Speaker: Are there any questions and/or comments to the member for Durham Centre?

Mr James J. Bradley (St Catharines): Madam Speaker, one of the observations I would make of many of the initiatives that are brought forward by the government is that they're really not very new at all. I compare this a bit to Jobs Ontario, where you have all of the grants that were given out before now called Jobs Ontario grants.

For instance, you would know that if there were an expansion to the sewage treatment plant in Niagara Falls, that used to be called an expansion to the sewage treatment plant. Normally there would be a press release go out and the grant would be given to the municipality and

it would move along with the sewage treatment plant. Now that is called a Jobs Ontario sewage treatment plant.

Similar to this legislation we see here, you'll find that there's often not new money. There's not an expanded amount of money. The money is simply given a new name and a few new qualifications and then it has its virtues extolled through an advertising program and through the constituency newsletters of members of the government when, in reality, there isn't much new to it.

It's better than a kick in the shins; we know that. I think that's important. The member for Chatham-Kent holds up a photograph of hockey players, including himself. Since his government has skated over the rights of labourers in this province, I can understand that he would want to show that photograph.

But seriously, I just hope—and I don't want to be negative about this—that this program is indeed a different program, that indeed it has new initiatives in it that will really help communities and that there is some new money, some additional money, not simply the old money recycled with a new name on it.

Mr Stockwell: I would just like to say I wish I could get a chance to meet with the person who wrote that speech, because I would tell them directly that I think this is a typical response by this government to a lot of issues that we're facing today.

This kind of stuff happened as a matter of course in previous governments. You went out and you did the things that you did as a government to maintain the roads and sewers, and so on and so forth, of this great province. There was no great fanfare. We didn't give them names. You just went ahead and dealt with the municipalities and so on and did them.

But now, with this government so starving for good media attention, so starving to give its representatives something to tell people back home that is not a charge against the government about being incompetent, it repackages these programs and reannounces these announcements and has members stand up in the House extolling the virtues of programs that are run-of-the-mill stuff.

It happens all the time. When we were in government, this just took place. We probably didn't even come to the House to announce this stuff because it was just what governments did with your money. It's called services.

Now they want to talk about crown corporations and program initiatives and partnerships and stakeholders and parental contributions and all these other glorious words to say what we used to do every day of the week. We simply helped build this province.

1650

If you want a big round of applause for doing what you're mandated to do, which was maintain a level of service in this government, you're not going to get it from here, because this is what you were elected to do and you're not going to get any pats on the back for doing what you're supposed to do when you were first elected. It's the plans you've got to create new jobs, and you know, Madam Speaker, as well as the member for St Catharines and his caucus, there are no new jobs here.

Mr Hans Daigeler (Nepean): I would like to make a few comments on Bill 40 on what was just said. I actually happened to be a member of the committee when we had hearings on Bill 40, community economic development, and frankly, I was left with the very distinct impression that many of the intervenors who came before us didn't really know what the government meant by community economic development. I tried to explain that the way the government was defining community economic development was something very, very different from what they had in mind and from what we on this side of the House support quite strongly.

I think nobody can be against economic development by communities and people themselves taking charge of their future, and when you hear the words "community economic development," at least on this side of the House, that's what we think, that we give private enterprise, we give private groups the opportunity and the means to use the chances that are there, the economic chances, and give them a bit of assistance. We have, for example, the new ventures program, which is still in existence, and I'm glad the government continues with it, because a lot of community groups and community people, certainly in my area, take advantage of it and it's good for them.

But when the government is talking about community economic development, it really refers mostly to a particular type of group that is, I would say, mostly affiliated with the New Democratic Party, and that these groups should be permitted—again, frankly, I think that's a possibility as well, that disadvantaged groups should have a chance—

The Acting Speaker: The member's time has expired.

Mr Daigeler: —to build economic development.

The Acting Speaker: We have time for one more member with questions and/or comments.

Mr Charles Harnick (Willowdale): It's interesting that we're talking here about a bill that's going to build roads, that's going to build sewers, maybe build the subway or something of that nature, and this government talks as though it's reinvented the wheel. What they've gone ahead and done is create all these devious little corporations to siphon a whole bunch of money into, to do what governments have been doing in this province since the day Upper Canada became a reality—probably even before that.

I can't for the life of me figure out what is so mystical about this plan. The plan is that the government is going to spend a lot of money it doesn't have in the name of creating jobs, which is a good thing, but governments have been doing these things for generations. This government just found a way to really siphon money out of the books, and it's really a method that's got it in nothing but trouble so far. The auditor wouldn't sign the books of the province because things like this are going on, and as a result, the credit rating of the province is slipping away. It's not a funny thing when ultimately you're setting up a plan to create jobs and it ends up costing the province another \$100 million a year because of credit rating.

This government has created nothing new. There's nothing innovative about this. Furthermore, they've been sitting on their duffs for three and a half years and they haven't created a job yet doing this. We keep hearing about it and hearing about it and hearing about it. We keep hearing about the 407 and the Sheppard subway and the Eglinton subway and all these great public works projects. So far, not a shovel has gone into the ground, the credit rating keeps falling and the province keeps laying out more and more money, and not a single, solitary job has yet been created by this government reinventing the wheel. Madam Speaker, I will bet you that there will not be one bit of effect from this piece of legislation for the rest of the lifetime of this government.

The Acting Speaker: The member for Durham Centre has two minutes to respond.

Mr White: My friends opposite offered us some very interesting comments. Unfortunately they forgot to either read the bill or to listen to my speech earlier on, because this is not a bill about sewers or roads. That's another program entirely. The community loan fund is about micro-business and is an entirely new program.

Mr Harnick: What do those little corporations do?

The Acting Speaker: The member for Willowdale, come to order.

Mr White: The distinction between this and the Jobs Ontario Community Action program is quite large. This is a part of it, this is an enabling part of it; an ability is offered here for communities to invest in themselves at the micro-level, at the small business level.

I would suggest that when my colleagues get up and start talking about the 407, they should instead be thinking about the opportunity for small businesses, for individuals with ambition and drive to gain access and employment through these innovative processes, something that has never existed in this province before—

Interjections.

The Acting Speaker: The member for Etobicoke West, come to order.

Mr White: —and certainly never been sponsored publicly before. As a result, this bill has been very strongly and very widely supported in the social investment community, throughout the business community as a whole. It also facilitates participation by municipalities in the vital economic life of their areas, enabling them to fully participate, to make ingenious contributions and direction of the kind of economic and strategic plan that they need for their communities.

These are important issues, but they are not the megaprojects that my friends opposite would like to have us establish.

The Acting Speaker: Further Debate?

Mr Ron Eddy (Brant-Haldimand): I'm very pleased—

Interjection.

Mr Eddy: Do you want quality or do you want quantity?

It's a pleasure for me to rise to speak briefly on Bill 40, An Act to stimulate Economic Development through

the Creation of Community Economic Development Corporations and through certain amendments to the Education Act, the Municipal Act, the Planning Act and the Parkway Belt Planning and Development Act. That's quite a title, isn't it?

I must say, there are some items in here that I approve of and that I'm sure municipalities across this province will be very pleased, when they are passed, to accept. I must say that from reviewing them.

We have amendments to the Planning Act. They're certainly going to save money and save time for development proposals. I'm awfully pleased to see that they've come forth at this time in this bill, although it certainly is an omnibus bill, including so many different items.

I would hope that by including these amendments to the Planning Act at this time, it would mean that a new Planning Act based on the Sewell commission report is several years away so that we'll have the opportunity to indeed adjust the present Planning Act rather than go through a complete new act.

Amendments to the Planning Act are welcome, although I must say I feel that when the minister will have the authority, through this act, "to give planning approvals to upper-tier municipalities and separated cities without a request being made. The minister may now prescribe fees for processing applications for planning approvals," there's an element of downloading in that, but I feel that municipalities will welcome the change because they'll be able to proceed more expeditiously.

"The Ontario Municipal Board," I note, "will be permitted to issue orders partially approving zoning bylaws while considering other portions of the bylaws which are the subject of an appeal."

1700

This is an excellent move on the part of the government to include this, simply because we've had municipalities come before the standing committee on regulations and private bills asking for this permission. Indeed, it was granted to the city of London just some time ago, and there are many other municipalities that have been involved in like problems.

For any member who has ever sat on a municipal council where you have two official plans under the Planning Act and two zoning bylaws simply because one zoning bylaw and one official plan is awaiting approval by the ministry, you'll know the problems that are faced. I certainly have been in that position, so this, in my opinion, will help that.

The requirement for provincial approval of validation of title and power of sale to be removed and replaced with municipal approval is also welcome. It's long past time that this happened, but it certainly will be beneficial to municipalities.

"If an appeal of a zoning bylaw has been withdrawn from the Ontario Municipal Board, the bylaw would be deemed to have come into force without an order of the board." Now, this is awfully important, and it's more important when you realize that some objections are indeed frivolous, but the OMB will not declare them frivolous unless it's requested to declare them frivolous

by the municipal council, and I'm not sure that always happens.

So thanks for the amendments to the Planning Act and let's just live with the Planning Act, as amended by this bill, for a number of years and leave the Sewell commission report on planning to be reviewed and possibly some minor amendments to come forward at some future time.

The provision under new section 210.1 permitting municipalities to enter into agreements with persons for the provision of certain municipal capital projects that would otherwise be provided by the municipalities themselves is also welcomed by municipalities. I think it is really the way of the future for financing many municipal projects. It will provide for partnerships between the private sector and municipal corporations.

One of the perhaps most welcome sections is section 167.4 of the act, to permit municipalities to enter into agreements for the joint investment of money with school boards, colleges, universities and public hospitals, as well as with other municipalities.

This system was initiated many years ago by the city of Chatham and the county of Kent, which included their school boards and their hospital boards, and it was a joint pooling of their finances. It needs the legislation. It's again past time that this was brought forward, but it permits a very unique and indeed efficient method of handling finances of public organizations, including municipalities and hospital boards. That's important, and I'm awfully pleased to see that it's been included in that bill. We certainly do support it.

The other important part of this bill, of course, and the main part of it, is the provision for the establishment of community economic development corporations. The legislation is beneficial to those who wish to proceed, but I really think we could have accomplished the same aims in another, more efficient manner, and it should still be done, to provide municipalities with permissive authority to establish an economic development corporation within the municipal framework without going to a special-purpose body.

As you know, over the years special-purpose bodies, a number of them at least, have been eliminated and municipalities, through the municipal associations, have been pushing for the elimination of special-purpose bodies. Indeed, the government has been doing it itself. As we know, in the Simcoe county bill which will come forward for debate later today, the Orillia suburban roads commission and the Barrie suburban roads commission will be eliminated and some other special-purpose bodies will be eliminated as well: police villages, for instance.

The big advantage of working within the municipal framework is because municipalities are legal corporations, with powers set out for the most part in the Municipal Act and many other provincial acts, and the change could easily be made.

Because municipalities are legal entities in Ontario, they of course have in-depth checks and balances and legislated accountability:

—Municipal staff and officials have expertise and experience needed to deliver any and all programs.

—Municipal financial reporting is very concise and is regulated by the province through legislation.

—Municipalities are stringently audited by licensed auditors on an ongoing basis, and of course those audited reports are available to the public. Indeed, municipalities are required to advertise them on an ongoing basis.

—Municipal staff are bonded, and of course have errors and omissions insurance.

—Municipalities know the community economic development needs of the communities and work with economic development. Many municipalities indeed have economic development officers who have worked towards this goal and are able to identify projects locally for funding.

—Municipal offices can provide the coordination that is necessary to provide the necessary support for sustainable community economic development through their planning department, economic development and infrastructure.

—Municipalities are able to accommodate the delivery of community economic development. With expanded computer systems in municipal offices, combined with the professionalization of staff, they are most capable to implement the needs of the community.

—Municipal expenses are controlled by established rules and systems; similarly, purchases are controlled through a strict procedure.

—They are also able to administer programs cost-effectively. Municipal offices, as we all know here, have become increasingly efficient as the demand for services has increased while both the funding and revenues they receive have decreased substantially in most cases.

As I said, special-purpose bodies can be problematic for the province. Indeed, as you know, when we ask questions in this House about certain bodies termed as crown agencies, we are told by various ministers, "We do not run that agency. The agency reports to the House through us but we don't have control," and that's right. In some cases we should have control. In many cases we must have more control than we do at the present time, because the public expects it. Municipalities at the very least should have the choice of whether a community economic development board is indeed a self-standing, separated board or could be established within the framework of the municipality.

I would at this time, however, compliment the council of the city of Burlington and the staff, who indeed have proceeded in the anticipation that this legislation would be passed and, through a press release of November 23, 1993, indicated the establishment by the council of the city of Burlington of the Burlington Community Development Corp.

1710

As we know, the council of the city of Burlington has been very active in developing and providing for commercial and industrial development and has decided to become the pilot project, and I think that's good. In my opinion, it would perhaps have been as well to allow that to happen, review what goes on and then perhaps tailor the proposed legislation to that operation.

Certainly the council of that municipality, I am sure, will make an outstanding success of this endeavour, and it's simply because it has been very active over the years in business promotion and will have a business promotion division and a finance division. It would also include the existing Burlington downtown partnership, so they are building on what they have in place and in use at the present time, and that's excellent.

I notice it is assisted by a \$100,000 contribution from the Minister of Municipal Affairs towards the establishment of the Burlington Community Development Corp, and I would hope that similar funding would be available to other municipalities that would be prepared to proceed and use this legislation to advantage once it's in place. I expect that it will be very soon. I repeat my congratulations to the city council of the city of Burlington for proceeding in this matter and hope that other municipalities will look at it as well.

Thank you for the opportunity to speak to this bill.

The Acting Speaker: Questions and/or comments?

Mr Daigeler: I would just like to say that, as the member for Brant-Haldimand said, there's support for the amendments to the Planning Act and there's support as well from my city of Nepean to streamline the approvals process. In fact there's a motion that my council passed on October 26 that supports this.

While they support these amendments, they also are on record, and I would like to mention this here in the House, because I think this is very important for the people in Ottawa-Carleton, that while they do appreciate these amendments to the Planning Act, the council of my city also says:

"The province speaks of empowering municipalities in supporting local job creation by encouraging economic development activities by the local communities who best understand what is needed, which contradicts the proposed Bill 77 which would restrict local municipalities in Ottawa-Carleton from developing municipal business parks by transferring this right to the upper-tier regional government."

Madam Speaker, I think you very clearly hear from my municipal council in a formal motion which was sent on to the minister that they certainly appreciate anything that will improve and speed up the planning process, but at the same time they say very clearly: "We want community economic development. We want our community to be able to dictate and say, 'This is the economic development that we want to see happening.'"

Certainly for my city of Nepean and I'm sure for other cities, the development of business parks is an extremely important economic development tool, and that's why my city was so upset and so opposed to the provision in Bill 77 which takes that power away from my city. I'm sure that would be a precedent that would happen all across the province: takes that power away from local municipal government and passes it on to the higher tier of government, which is the regional government in Ottawa-Carleton.

Mr David Johnson (Don Mills): The member for Brant-Haldimand has brought up the topic of the Planning

Act and the fact that there are many positive changes to the Planning Act.

Mr Eddy: That's all we need.

Mr David Johnson: He says, "That's all we need." He goes like this and he says: "That's all we need. We don't need the Sewell commission." I agree with the member in that regard.

There is one change, though, that was brought to the attention of the committee that perhaps didn't get unanimous support. There is a section that allows for the delegation of planning authority to the region by the provincial government. Formerly what was required was for the region to request this authority from the provincial government. Under Bill 40 what's happened now is that the province can delegate subdivision, condominium and consent authority, for example, to the regions without the request of the regions themselves.

I have a letter that we in the committee received from the regional planning commissioners of Ontario. They say, "We question the wisdom of the ministry assigning delegated powers to a municipality without the formal consent of its council." They say you shouldn't delegate without the council asking for that authority.

They say: "The number, qualifications and integrity of the planning staff seem to be important factors in the decision to delegate. Without formal council support for delegation, how can the minister and all other agencies involved in these approval processes be assured that these resources will be maintained by the municipality if the delegation is assigned against the council's will?"

What they are saying to the minister over there, who is very interested, is that you shouldn't be delegating and forcing municipalities to take an authority that they haven't requested. That's what this bill does.

Mr George Mammoliti (Yorkview): I can't understand why individuals just can't stand up in this place and talk about the wonderful thing that this bill does. I can't understand why people just can't say how wonderful the process was, that the committee had worked well together, that the people who came out in front of the committee from all over the province had talked highly about this bill, about the good things that the government is doing with this bill and how communities are waiting for this.

While I understand some of the negative comments that are given out from time to time in this place, we need to realize that when a good thing happens, let's praise it. When a good thing happens, especially for communities, let's praise it. Let's not always be on this negative wagon train that has nowhere to go.

This is my point, because I'm frustrated at some of the comments in this place. While I respect the individual from the Liberal Party who made his comments, the member for Brant-Haldimand, and I know he talked about some of the good things that this bill does, others in this place have stood up with their comments and talked negatively about it, and talked about the committee process.

When you talk about the committee process, make sure that you remember the types of comments that were

being made in committee on this particular bill. I think if people were to remember what happened in committee, they wouldn't actually stand up here and speak negatively about it.

I do want to thank the member for Brant-Haldimand for his comments.

The Acting Speaker: The member's time has expired. We have time for one more question and/or comment.

Mr White: I want to thank my colleague the member for Brant-Haldimand for his comments and acknowledge along with him the importance of municipalities. Municipalities can—this is, after all, the Ministry of Municipal Affairs sponsoring the bill—sponsor community economic development corporations. As my friend mentioned, the city of Burlington was assisted in doing so with a grant of some hundred thousand dollars.

We wish, as soon as this bill is passed, to ensure similar funding for other municipalities. But municipalities will not alone be able; other groups within those municipalities will also be able to sponsor those community development corporations.

1720

As my friend noted, in the past when there was an attempt to secure innovative financing for community facilities, we had to have a special act of provincial Parliament to allow for private and public co-ventures, a special act to allow for ventures between the school boards and the municipalities. With this bill, those special acts will no longer be necessary and there will be increased amounts of innovative financing, as my friend noted.

I think it's important that my friend took note of the Planning Act amendments, the OMB issues. These are all small amendments, but they are the kind of thing which will hopefully speed along development applications that are essentially good applications, that are not being appealed to the OMB in their entirety. These are efforts to make the planning system in the province of Ontario more comprehensible. They are not the comprehensive response that Mr Sewell requests, but they are consonant with Mr Sewell's recommendations.

The Acting Speaker: The member for Brant-Haldimand has two minutes to reply.

Mr Eddy: I respond to those speakers on the bill. The member for Nepean brings up an excellent point; that is, the matter of economic development being at the local level. I would hope that would be possible wherever a local municipality wishes to become involved, particularly the area municipalities and regional municipalities across this province. I think it's very important because they're on the scene locally. They know local conditions and they're able to respond to local problems. So I think that's awfully important.

The member for Don Mills spoke in response as well. I think he made an awfully good point about the minister being able to delegate authority to give planning approvals to upper-tier municipalities in separated cities, and he made the point "without their permission." I agree that it could be on request, but I also would go a bit further and say "on request" or "with their agreement" or "with

their approval," the approval or agreement of the local municipalities, so that it could be initiated by the minister and an approach made, because it is a downloading of authority, which I agree is important to do, but it's also a downloading of costs. There's been a considerable amount of that over the last few years, so it's important to face up to that.

The member for Durham Centre has spoken as well on the matter of updating the legislation. I see that most of the items in this bill are outdated, archaic legislation, and that is good.

The Acting Speaker: The member's time has expired. Further debate.

Mr David Johnson: Perhaps I could just start by saying that it's a bit unfortunate that some members characterize comments as being "a negative wagon train." The comments I'm going to make today are generally based on comments I heard at the committee. These were various deputants that came before us and made presentations. These were people who sent letters and made deputations, and in some regard they have concerns. If the member for Yorkview expects that I'm going to stand up here today and just say all the positive things and ignore all of the concerns that people expressed to me at the committee and to other members of the committee, then I think that's a very short-sighted view. I think the role I have to play and perhaps the role the critic for the Liberal Party has to play is to introduce some of the concerns that were expressed.

We know this bill is going to go forward, but people have concerns with various parts of it. It's interesting that on the day we are debating this bill, which primarily is set up to put funds in place for loans to small businesses, micro-businesses, to put in place a mechanism to have share investment in small companies, that there's an article in the *Globe and Mail* this morning indicating that the provincial government is in fact making loans and has made loans to many businesses in the province of Ontario. The most recent loan is to the Ontario Bus Industries Inc, which is one of North America's largest manufacturers of transit buses. How much money was invested in that company? There was a \$19-million loan from the taxpayers of the province of Ontario put in by the Ministry of Economic Development and Trade. I hope that money's put to good use. It's a loan to this company to preserve about 2,000 jobs, and that turns out to be a subsidy of about \$10,000 per job. I sure hope it saves those jobs and that buses are created as a result, because that's an expensive proposition by the province of Ontario.

But other firms are mentioned. There was a loan to Inglis Ltd, \$5 million; a loan to DuPont, an interest-free loan, I might say, of \$20 million; Toyota is getting money for training and new equipment, \$1 million; General Motors of course needs money from the province of Ontario to keep operating, \$5 million; Chrysler Canada, another \$30 million; Ford of Canada about \$43 million from the province of Ontario for worker training and infrastructure grants. So you can see that the money involved is very considerable, but today we're looking at smaller businesses, smaller firms.

Rather than a negative wagon train, let's call it constructive criticism. The Canadian Federation of Independent Business has commented on Bill 40, on the bill that we're talking about today. I'm just going to read a short paragraph from the letter of the CFIB. They say, "In general, the Canadian Federation of Independent Business supports efforts to expand the availability of financing to new and growing enterprises." That's what we're talking about here today: financing for new enterprises and growing enterprises. "The best such programs are those which reduce the tax burden on entrepreneurs, allowing them to expand retained earnings for job and investment growth."

That's the key. I think that's pretty important. What they're saying is that the best way to help small businesses to grow and be successful is to reduce the tax burden. That's number one. They say if you're not going to do that, if you're not going to help businesses in the best way possible, then a second-best way would be through loan or equity guarantee schemes, but these require an administrative structure, and when they say "administrative structure," what they really mean is there's a cost. There's a bureaucracy and there's a cost to the taxpayer. They also tend to touch relatively few businesses. So they help a few, but the vast majority of the businesses they don't help.

By comparison, if you cut the tax burden, which is their number one way of helping businesses, you help all businesses. It's not just a few selected businesses; you help them all. That's what the CFIB says.

I might say that this morning I also met with the Ontario Chamber of Commerce, and its message is just about the same. They say that they are much more interested in this government tackling the issues of reducing taxes, of reducing paperwork, of reducing regulations, of reducing rules and restrictions on small business. The Ontario Chamber of Commerce says, "If you really want to help us, that's the way you can help us: reduce taxes, reduce the paperwork, reduce the regulations." They say they're much more interested in that than in loans and grants and subsidies and that kind of approach.

So we're seeing a common theme. The member for Yorkview may think that's a negative theme, but that theme is coming from the business community itself: The way to help them is to reduce the burden on them.

1730

I might say that the Canadian Federation of Independent Business expressed a few other concerns, if I'm allowed to express them, Madam Speaker. They say, "It is questionable whether preferred shares in a community investment share corporation will be attractive to investors."

What they're talking about there is that one part of this bill is to set up a community investment share corporation. That share corporation will sell preferred shares to the community. If I'm the member, for example, for Durham Centre and there's a share corporation in my community, I could invest in the share corporation: \$5,000, let's say.

Mr White: Don't look at me.

Mr David Johnson: Don't look at you. Okay. They would sell a preferred share. That money is used in turn to invest in purchasing shares in businesses within the community, businesses that need an injection of capital to help them to survive.

Now, the original investors in the share corporation are guaranteed to get their capital back after a period of time, and the period of time is up to seven years. After that period of time, they're guaranteed to get their capital back but they're not guaranteed to get any other sort of return. Any other sort of return is not guaranteed. If the share corporation is successful, then they may get more back. If it's not, they're only guaranteed by the province of Ontario, by the taxpayers of Ontario—the taxpayers of Ontario will ensure that the investors get their money back.

What the Canadian Federation of Independent Business is saying is that this is not very attractive to the investors. Investors want to have some reasonable security that not only are they going to get their capital back, but they're going to get back a return on their capital, and you may find that it will be very difficult to get investors.

I think that's sort of the bottom-line theme of this whole scheme from some of the people who I think offer good advice. That bottom line is that there will be great difficulty to find investors in the share corporation, there will be great difficulty to find investors in the loan fund, and consequently there won't be much action through either one of these vehicles and the whole thing will peter out.

If it doesn't, then what's likely to happen is that there is a risk in terms of investing in businesses. That's what these things are set up for in the first place, I guess. The small businesses are having a difficult time raising the money because the risk is high, and the risk is high because, for example, on average almost one quarter of new businesses will fail within the first year. These are statistics that are well recognized: One quarter of new firms will fail in the first year. It's a sad fact. We would hope they'd all be successful, but many people go in, get involved in a business where they haven't worked out a proper business plan, and many firms will fail.

Almost half of new ventures will go under in the first three years. By the time three years has expired, about half of the businesses have gone bankrupt. After 10 years, only one quarter of new business are still operating.

With those kinds of statistics, the traditional lending institutions—for example, banks or trust companies—are naturally somewhat cautious about lending money. I'm certainly not going to defend the banks. I think there's ample evidence that—

Mr Jim Wiseman (Durham West): I should hope not.

Mr David Johnson: To the member for Durham West, where the new landfill site is going to be located, I agree with him: I'm not going to defend banks, although I must say, since the member's got me into that, that I think over the past half a year or year the banks have been a whole lot more responsive than they were

back in the depths of the recession. Maybe that's somewhat understandable—

Interjection.

The Acting Speaker: Order.

Mr David Johnson: The member for Durham West has some comments, but perhaps he'll speak in rebuttal.

Since he's got me on to this, for example, if you were to take the number of loans through April, May, June and July of 1992—I admit this is across Canada—from banks to small businesses, we are talking about 3,500 loans in 1992 for a four-month period. For that same four-month period this year, the number of loans is 8,500. It's more than doubled to small businesses in the same period.

We are seeing banks being much more responsive. They do understand that most of the new growth in business in Canada is going to be through the small business sector, the kind of sector we're trying to help with Bill 40. Perhaps what these numbers are saying is that events have overtaken Bill 40, and indeed the real concern that the government may have had back a year ago is not at the same level as we're seeing today.

The total lending, I might add, to small businesses in Canada in that four-month period, April to July 1992, was \$125 million. This year for the same period it was \$439 million. There again we've seen about a tripling, over a tripling, of the loans to small businesses.

How did I get involved in that? There has been concern from the banks that their money is at risk. Many small businesses have had trouble getting loans. So now the government has come forward, saying, "Okay, we'll loan money, but the taxpayers of the province of Ontario will foot the risk." If these small businesses go bankrupt—and many of them will; within the first year one quarter will fail—then the taxpayers who stand behind this will have to pay the freight.

What we're looking at here is a cost of \$10 million with the loan fund and \$20 million with the share corporation, a total risk to the taxpayers of Ontario of \$30 million, a \$30-million risk. The intent I think is good, to help small businesses, but the taxpayers should realize that this is the risk they're taking.

It's interesting that one of the criteria for the loan fund is that a business must have been rejected by traditional loan institutions. So it must have been rejected by a bank or must have been rejected by a trust company, for example. Only then, only after having been rejected by the private sector, can that small business come to the loan fund set up and guaranteed by the province of Ontario and seek funds for business purposes. That's the kind of risk we're dealing with.

In terms of the need, I've already mentioned that the Canadian Federation of Independent Business says that the real need is to reduce taxes and paperwork. We also had a deputation from Sharwood and Co.

Mr Wiseman: He used to advise Mulroney.

Mr David Johnson: Some of the members on the other side will remember they got into a bit of row with this gentleman because he didn't say exactly what they wanted to hear. He was one of the negative people who

brought forward a message that wasn't palatable to some of your colleagues, Mr Minister. His message was, and I quote—well, first of all I should tell you that Mr Sharwood has 17 years of experience, many of them with the Canadian Imperial Bank of Commerce: 17 years of experience raising debt and equity for small and medium-sized, rapidly growing entrepreneurial companies. His firm has been involved in the financing of over 100 companies. This is not somebody without experience. This is a person who has been involved in the financing of over 100 small companies.

His message—I hope this isn't too negative for the member on the other side—was: "I do not accept the idea that there is a shortage of sources of debt in Ontario. There is not a shortage of sources of debt in Ontario, and I suggest that there is no need for the corporate loan fund corporation." He's not talking about the share corporation, he's talking about the loan fund corporation. He says there's no need for it.

1740

He says if you as an entrepreneur have an idea in the province of Ontario, there are lots of places to go and get money. In particular, what he says is that most people within their own communities will get their dentist, will get a relative—we're not talking about large amounts of money here, remember. We're not talking about hundreds of thousands of dollars. We're talking about generally less than \$15,000.

He says that kind of money is available within communities through business associates, through relatives, within your own neighbourhood, and that's where the money should come from. He also says that we don't really do small business people a favour by loaning them money when they have no stake, they have no investment themselves. If they don't have a proper business plan and they can't maintain the company, then you're not really doing them a favour.

Somebody, I think one of the members, said there are already other programs in place. I'm going to quote from another person who has a negative view and that's the mayor of the city of Thunder Bay. The mayor of the city of Thunder Bay says:

"The existing new ventures program should be reviewed and amended with some of the overall goals in mind, rather than creating yet another new program vehicle. It is possible that the present banking participants in the new ventures program might consider their commitments of administrative time if asked to participate in a similar program."

The mayor of Thunder Bay, I might say, has been extremely involved in economic development. They've been very successful in that particular area.

I think I'm being waved to reduce my time, I suspect.

Interjections.

Mr David Johnson: Is that what it is? All right.

Interjection: You're getting the hook.

Mr David Johnson: I'm getting the hook.

I'll just point out that the mayor of Thunder Bay came before us, another one of these negative people the

government is referring to. They have done wondrous things in Thunder Bay with economic development. They've done it through the new ventures program, a program, I might add, that according to its own description, is a program for the province of Ontario.

It says that it's a loan approval, and the person must make a cash investment in the business at least equal to the loan. For example, if you're to receive a \$10,000 loan, you must invest \$10,000 yourself. But here's a program already in place. It's been used well in Thunder Bay and the mayor of Thunder Bay says, "Why not make good use of a program like that?" That's the kind of thinking we've had.

I know we're cooperating with the government today and I hope it recognizes that. As a result, I've restricted my time. I have many other items from other deputants who came before us that I could comment on, but I'm just perhaps going to mention one more.

This was from a firm called Prince Arthur Consulting Group. They provide financial consulting services to small and midmarket companies. Their view was that the relationship with the bank or loan funds will not work. They say: "No bank will use the services of an experienced, independent business account manager to manage the portfolio of a \$500-to-\$15,000 business loan. The economics simply do not justify such an approach."

What they're saying will happen is the bank will simply collect, using the guarantee of the province of Ontario. They will not go after the business; they will use taxpayers' dollars. That \$10 million that's being put into the loan fund will vanish because the banks will find that much easier to use. Those are some of the comments we've had.

We had a foundation, the Calmeadow Foundation, which has a great deal of experience. This foundation said that the fund would not be sustainable—in their view, it simply wasn't large enough—that the collateral system through banks is simply too complicated, and as a consequence they're essentially agreeing with other deputants who have said that this program is far too complicated, there are other programs that could be tailored to accomplish perhaps the same purpose, and they have concerns. They have concerns with the loan fund set up under Bill 40.

I'll restrict my comments to those for the time being and perhaps use the two-minute session at the end to add a few more.

The Acting Speaker: Are there any questions or comments?

Mr Eddy: I just want to comment briefly on some of the remarks made by the member for Don Mills. Certainly we must agree, and do agree, on the concerns about business in the province of Ontario. Businessmen continually ask that taxes be reduced, that paperwork be reduced, that regulations be reduced, that rules be reduced and that restrictions be lifted, because there are far too many.

We in this caucus agree that what must happen in the province of Ontario is to create an atmosphere conducive to doing business and we feel that isn't at the present

time. Taxes must reduce. That's an absolute must for businesses to get started and to continue and to grow and develop, because we certainly need business back in Ontario.

I share the member's concern also about just how receptive people are going to be to the fund to invest in it. It's pointed out that certainly the investment is guaranteed, but there's certainly no guaranteed rate of return. That's why I think it's so important to have the pilot project by the city of Burlington, see how it operates and then get their views and suggestions and comments about changes that perhaps should be made.

I'd rather see the pilot project go ahead on some basis without the legislation being passed for all the municipalities, but on the other hand, they need the legislation. So let's see how it works, knowing that there will be, I expect, some requested changes.

The Acting Speaker: Any further questions and/or comments? Seeing none, the member for Don Mills has two minutes to reply.

Mr David Johnson: I thank the member for Brant-Haldimand for his comments and I think his comments are most appropriate. The Progressive Conservative Party has set up a task force that has a rather cumbersome name. It's called Cutting Red Tape and Growing Small Business.

Interjection.

Mr David Johnson: Thank you for your contribution.

This committee is touring through Ontario. I personally am a member of this committee and have gone to a number of meetings. What we're doing is meeting with the particular small businesses across the province of Ontario and saying, "What it is that we need to do through the provincial government to remove the encumbrances from business, to remove all the impediments from business, and how can we help so that you'll be successful, so that you'll grow, so that you'll create jobs, so that you'll contribute?"

Hon Gilles Pouliot (Minister of Transportation): Send money.

Mr David Johnson: The Minister of Transportation says, "Send money." You see, there's the difference in philosophy between the government and this party, the Progressive Conservative Party, and the business community. The business community is saying no. The business community says: "No, do not send money. Cut the taxes. Cut the red tape. Cut the regulations."

1750

It's interesting that this bill is called Bill 40. When everybody thinks of Bill 40, what do they think of? They don't think of the economic community fund; they think of the labour bill, Bill 40, which adds more regulations and more support for unions.

That's the kind of thing that the business community says to cut: "Throw that out if you want to help us. Don't send us money. Don't send money to anybody. Just make sure we have a decent playing field free of government red tape and regulations. Then we will be successful. Then you will see us grow and create jobs and contribute to the economy."

The Acting Speaker: Further debate?

Mr White: I want to thank my colleagues for their comments and for their thoughts in this debate. I'd like to comment briefly that of course this bill is not the be-all and end-all but is simply an opportunity for communities to invest within themselves, a complement to investment and private industry, such as my friend noticed. Of course, we are not going to be guaranteeing profits and returns from programs like the CISCs. The loans themselves are guaranteed, but we are not shoving money on to people. Rather, they are responsible for the repayment of those loans. We are only facilitating, with the creation of those community development corporations, the setting up of the loan funds.

I want particularly to thank my colleagues on the committee and the number of staff people whom I will mention briefly: Tania Melnyk, Larry Clay, Tim Burns, Dale Taylor, Diana Dewar and James Loken of the council. It's been a pleasure working on this particular bill and I hope that communities will be able to make full use of it and be able to invest in themselves.

The Acting Speaker: Mr White has moved third reading of Bill 40. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill be now passed and entitled as in the motion.

REVISED STATUTES CONFIRMATION
AND CORRECTIONS ACT, 1993

LOI DE 1993 CONFIRMANT ET CORRIGEANT
LES LOIS REFONDUES

On motion by Mr Huget, on behalf of Ms Boyd, the following bill was given second reading:

Bill 115, An Act to confirm and correct the Statutes of Ontario as revised by the Statute Revision Commissioners / Projet de loi 115, Loi confirmant et corrigeant les Lois de l'Ontario refondues par les commissaires à la refonte des lois.

The bill was also given third reading on motion.

ROYAL ASSENT
SANCTION ROYALE

The Acting Chair (Ms Margaret H. Harrington): I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to certain bills in his chambers.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): The following are the titles of the bills to which His Honour has assented:

Bill 128, An Act to settle The East Parry Sound Board of Education and Teachers Dispute / Loi visant à régler le conflit entre le conseil de l'éducation appelé The East Parry Sound Board of Education et ses enseignants

Bill Pr35, An Act to revive Owen Sound Little Theatre

Bill Pr45, An Act respecting the City of Toronto

Bill Pr47, An Act to revive Cambroco Ventures Inc

Bill Pr48, An Act respecting the City of Toronto

Bill Pr50, An Act respecting the Institute of Municipal Assessors of Ontario

Bill Pr52, An Act respecting the County of Hastings

Bill Pr56, An Act to revive Ottawa Jewish Home for the Aged

Bill Pr57, An Act respecting Children's Oncology Care of Ontario Inc

Bill Pr58, An Act respecting the County of Grey

Bill Pr59, An Act respecting the City of Kingston

Bill Pr61, An Act respecting the City of Toronto

Bill Pr64, An Act respecting York-Durham Heritage Railway Association

Bill Pr65, An Act to revive Region 2, IWA Building Society.

HIGHWAY TRAFFIC AMENDMENT ACT
(DIMENSIONS AND WEIGHT), 1993

LOI DE 1993 MODIFIANT LE CODE DE LA ROUTE
(DIMENSIONS ET POIDS)

Mr Pouliot moved second reading of the following bill:

Bill 74, An Act to amend the Highway Traffic Act / Projet de loi 74, Loi modifiant le Code de la route.

Hon Gilles Pouliot (Minister of Transportation): Bill 74 amends the Highway Traffic Act to bring maximum allowable dimensions of vehicles into line with most other North American jurisdictions. This legislation will allow Ontario's trucking industry to use 16.2-metre semitrailers and 25-metre double trailer combinations.

Today the trucking industry moves more than 70% of Ontario's manufactured goods but it has been handicapped by the province's restriction on vehicle size. To be competitive in our North American market, our manufacturers, shippers and truckers must be able to use the same-size vehicles as their competition. This legislation simply levels the playing field.

I have some very pertinent remarks. What this bill is all about, simply put, is \$100 million in terms of competition. It gives us a chance to better control the marketplace, to find our niche.

I could go on and on, and I want to stop at this time by very sincerely thanking the members of the opposition, both the Liberals and the Conservatives, for the opportunity to achieve unanimity. We have, of course, three very small housekeeping amendments, but we will not do this today; we will wait until the opportunity presents itself, for it shall, under the committee.

In view of unanimity, I will move adjournment of the debate.

The Acting Speaker (Ms Margaret H. Harrington): Mr Pouliot has moved adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

It being very close to 6 of the clock, I declare this House adjourned until tomorrow at 1:30.

The House adjourned at 1759.

ERRATUM

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of Ontario**

Third Session, 35th Parliament

**Assemblée législative
de l'Ontario**

Troisième session, 35^e législature

**Official Report
of Debates
(Hansard)**

Wednesday 1 December 1993

**Journal
des débats
(Hansard)**

Mercredi 1 décembre 1993

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Wednesday 1 December 1993

The House met at 1333.
Prayers.

MEMBERS' STATEMENTS
MUNICIPAL LEGISLATION
LÉGISLATION MUNICIPALE

Mr Bernard Grandmaître (Ottawa East): The Minister of Municipal Affairs was good enough to provide me with a number of amendments that would be part of Bill 77, but the question I'm asking today of the minister is, will the minister introduce second reading of Bill 77 so as to give the members a chance to debate Bill 77? I would call it the most important bill concerning Ottawa-Carleton at the present time.

I know that the minister is anxious—I hope he's anxious—to introduce second reading, but time is very short. We're supposed to leave this place next Thursday. I hope that the minister will follow through with his amendments and provide us with the opportunity to debate those amendments.

Je crois que le ministre des Affaires municipales en a la responsabilité, maintenant qu'il a présenté un nombre suffisant de modifications concernant la Loi 77, la loi qui va déterminer le futur du gouvernement régional d'Ottawa-Carleton. Alors, j'invite encore une fois le ministre des Affaires municipales à présenter, en deuxième lecture, la Loi 77 pour qu'elle soit débattue —

L'hon Evelyn Gigantes (ministre du Logement) : Pour combien de temps ?

M. Grandmaître : Pour combien de temps ? Le ministre du Logement me demande combien de temps ? Présentez la deuxième lecture et nous allons considérer le Règlement 77.

WORLD AIDS DAY

Mr Jim Wilson (Simcoe West): As Health critic for the Ontario Progressive Conservative Party, I urge all members of the Legislature to join with me in recognizing World AIDS Day. The importance of World AIDS Day is that it brings home to all of us in Ontario that AIDS is a global problem of epic proportions. While 11,000 Canadians are living with AIDS, a staggering 14 million people suffer from the disease worldwide. By the year 2000, there will be 30 million to 40 million infections of the HIV virus on this planet.

What the World Health Organization is doing, in conjunction with the Canadian Foundation for AIDS Research and the Fife House Foundation, is making us aware that AIDS affects each and every one of us. We must redouble our efforts to combat this lethal killer by both beefing up our educational efforts and finding a cure for a disease that does not discriminate between sexes or age. The warning signs indicate that we must not continue to hide from the reality of AIDS.

Of global AIDS cases, 70% involve heterosexuals. The World Health Organization states that 50% of those infected with HIV have become infected while they were between the ages of 15 and 24 years. On a chilling note, a recent study done at Laurentian University found no

relationship between young people's knowledge of AIDS and their behaviour.

If we are to stem the growing deadly tide of AIDS, we must band together to meet this imposing challenge. On World AIDS Day, I urge everyone across Ontario and Canada and throughout every corner of the world to work towards the common goal of conquering this killer disease.

Mr Rosario Marchese (Fort York): My statement, like Mr Wilson's today, is on World AIDS Day. Today is World AIDS Day, a day set aside each year to raise public awareness about HIV and AIDS. It is estimated that by 1994, 17 million people worldwide will have been infected with HIV. In Canada, there are about 8,000 reported cases of AIDS. Ontario accounts for approximately 40% of the AIDS cases across Canada, while Metro Toronto has about 50% of the AIDS cases in this province.

Anyone can contract this deadly disease. In fact, the number of AIDS cases in Canada attributed to heterosexual activity continues to rise at a faster rate than for any other risk category, and the number of women with HIV infection is increasing and now accounts for more than 10% of all new positive cases in Ontario. Sadly, despite these alarming figures, indifference and misunderstanding about this disease is still pervasive, particularly among heterosexuals.

Initiatives such as the Red Ribbon Campaign, which has been going on this week, aim to enlighten the public's attitude and understanding of AIDS and HIV. Since last Friday, hundreds of volunteers have been selling red ribbons to raise funds for AIDS research and for supportive housing for people living with AIDS and HIV. Although for the most part I encountered generosity and positive responses when I sold ribbons last week, the hostile response of one individual reminded me of the urgent need for campaigns such as this one.

Today we wear red ribbons to increase the public's awareness about AIDS and HIV, to remember those who have lost their lives to AIDS and to strengthen our personal commitment to combating this deadly disease.

Mr Tim Murphy (St George-St David): I wish to join with Mr Wilson and Mr Marchese with respect to this day as World AIDS Day. The World Health Organization's global program on AIDS has chosen the theme Time to Act for today's events. A countless number of volunteers have chosen to act by collecting money in the Red Ribbon Campaign.

1340

Volunteers like Margaret Madigan, one of my constituents, spent the last six days giving their time, often braving subzero weather to make the Red Ribbon Campaign a success. Margaret will be collecting donations in the Macdonald Block foyer today, and I urge everyone to get a ribbon from her or one of the hundreds of other volunteers I'm sure everyone has noticed on most streets over the past week.

On a personal note, it is time to act. I had, unfortunately, to attend the funeral on Saturday of another person who died of AIDS. The time to act is now. I hope the government will move very soon on a catastrophic illness funding policy.

All we're getting in the documents we're seeing is that they're working on it, and the time to act has long since passed. I hope too that it will consider adding nutritional supplements to the formulary to allow people with HIV and AIDS adequate resources to cope.

The government has talked too about supportive housing, and yet the Homewood co-op in my riding was refused consideration for funding for supportive housing that would have included 25% of its tenants being people living with HIV and AIDS. I call on the government to reconsider that decision.

HOSPICE ORILLIA

Mr Allan K. McLean (Simcoe East): My statement concerns Hospice Orillia and the many volunteers who are dedicated to eliminating the pain and suffering of the terminally ill.

The concept of hospice care has a long and proud history, but in its modern form, originated in Britain in the 1950s, it quickly spread to other countries in Europe and around the world before becoming increasingly popular in North America during the 1970s.

Hospice Orillia is a community hospice whereby the patient is generally located in the home, deriving comfort and support from professionals, family, friends and volunteers. Hospice Orillia is based on the principle that dying patients require at least as much care and attention as patients who are expected to recover. The focus of this care is on the patient and the family, their right to expect that everything possible will be done to meet their physical and spiritual needs and their right to participate in decisions regarding the illness, its treatment and the circumstances surrounding the final days of living and dying.

A growing number of terminally ill people and their families have found comfort and support in the hospice movement, which is committed to helping patients and their relatives confront death calmly, with dignity and with as little pain as possible. Hospice Orillia is responding to one of the deepest needs in all of us, the need to feel that when our time to die comes, we will be able to do so in conditions that reduce the physical suffering and spiritual anguish to the minimum.

Last Thursday, I had the opportunity to speak to Hospice Orillia and congratulate their volunteers on the fine job they're doing within our community.

ST MARY'S CATHEDRAL

Mr Gary Wilson (Kingston and The Islands): Next Wednesday, St Mary's Cathedral in Kingston will celebrate a new chapter in its 150-year history. Five years ago, this local landmark was falling down. Its limestone walls were cracking and chunks of stone were falling from its tower. But next Wednesday, the church congregation will hold a ceremony to mark the cathedral's successful restoration.

The ambitious \$6-million restoration project was made

possible by the generosity of the people in the archdiocese of Kingston and the greater Kingston community and by a grant of more than \$800,000 from the province of Ontario.

Unfortunately, St Mary's has not been the only church in our community requiring major repairs. Many of Kingston's impressive limestone churches were constructed in a building boom around the 1840s, when Kingston was the capital of Canada, and have come due at the same time for restoration.

I'm pleased to say that our government has demonstrated its commitment to heritage preservation by providing funds for the repair of these churches. We have given grants not only to St Mary's, but to St James Anglican Church, Sydenham Street United Church, St Paul's Anglican Church and the Church of the Good Thief in Portsmouth village.

These grants have created dozens of jobs and helped to preserve Kingston's historic character, a source of great pride to Kingstonians and also the foundation of our local tourist industry.

This financial commitment, combined with our government's proposed heritage legislation, is a clear indication that we know Ontario's social, economic and cultural future depends crucially on our respect for the past.

NIAGARA COLLEGE OF

APPLIED ARTS AND TECHNOLOGY

Mr James J. Bradley (St Catharines): Since the Ontario government has proclaimed its interest in capital projects and infrastructure renewal, I have a suggestion for the Rae administration.

Although the Premier has chopped \$300 million from the capital works budget, while styling himself as Captain Infrastructure, perhaps the Premier will restore that amount and allocate \$32 million to Niagara College to enable it to implement its master plan and commence construction of a project that will create about 300 person-years of work plus 60 ongoing, full-time jobs at the college.

A new St Catharines facility and an updated Welland campus will contribute substantially to higher employment for the peninsula, increased competitiveness for our employers and long-term improvements in skills for Niagara's labour force. Replacement of the temporary and worn-out buildings will help the college to better serve more students and clients and finally move from three temporary buildings and a decrepit old factory into modern educational facilities.

Niagara College has provided an opportunity for thousands of people, young and old, to receive post-secondary education and for so many in our province to be retrained for new employment positions.

We owe it to our residents to provide a modern, up-to-date educational facility and at the same time to provide much-needed employment for the Niagara Peninsula.

I would also like to take this opportunity to welcome students from Sir Winston Churchill Secondary School to the Legislative Assembly today.

EASTERN ONTARIO ISSUES SUMMIT

Mr Leo Jordan (Lanark-Renfrew): I direct this statement to the Minister of Natural Resources. The ministry has introduced resource policies which are so extreme and so detrimental to the resource economy of eastern Ontario that the people of the Ottawa Valley have organized a summit to find solutions to the problems created by this ministry. They have organized this summit because they believe that the Ministry of Natural Resources has gone through the motions of public consultation while plowing ahead with its own anti-development agenda. Instead of listening to the hundreds of people who opposed the Madawaska highlands, the Ministry of Natural Resources is conducting smoke-and-mirrors consultations while proceeding as it had originally planned.

I wish to remind the minister that this action resulted in the resignation of the Renfrew county warden from the highlands committee. The minister has already set aside 16,000 hectares of forest on the east side of Algonquin Park, killing 142 jobs at the mill in Braeside; this too was done without consultation.

Because this minister has failed to engage in genuine consultations, the people have taken their own initiative by organizing the Eastern Ontario Issues Summit.

I hope the Minister of Natural Resources learns a lesson about consultation from this process in Renfrew county, and I trust he will act upon the resolutions passed at the summit this Saturday, December 4, in Pembroke.

DON VALLEY BRICKWORKS

Mr Gary Malkowski (York East): I would like to take this opportunity to tell the members of the House about an important site in my riding, the Don Valley Brickworks. Last week, the Minister of Natural Resources, Mr Howard Hampton, joined me and many local politicians and interested individuals for a tour.

The importance of this location is not realized by many of the people who drive by it on Bayview Avenue just south of Pottery Road. It has been designated by UNESCO as a world heritage site and by the province as an area of natural and scientific interest.

Geologists would point out that the northern slope contains fossilized remains of a giant beaver and beetles and trees from the maple forest which sheltered buffalo. Historians will tell you that the brickmaking which took place here was essential to the establishment of Toronto as an industrial centre and that most of the bricks built the downtown area, including Casa Loma and Queen's Park. So I want to take the opportunity for people to appreciate the natural beauty of Don Valley.

The Metro Toronto and Region Conservation Authority plans to rehabilitate this site so that people can learn about the past, and it has made an application under Jobs Ontario. There's going to be funding by Metro, augmented by private donations. So if there is any more interest, they can call my constituency office.

1350

ATTENDANCE OF MINISTERS

Mr James J. Bradley (St Catharines): On a point of order, Mr Speaker: This isn't a new point of order for

you; you've heard the point of order before, but perhaps you have a new view of it today. As we look over on the government benches, we see that there are 12 ministers who are going to be absent from the House today, 12 ministers to whom members of the opposition would like to be directing their questions.

In addition to that, the Premier of the province is not here. He's engaged in a photo opportunity. We well recall how he denounced a photo opportunity with the former Prime Minister, perhaps wisely now.

My point of order to you is: With the House supposedly in session until at least the end of next week and possibly beyond that, would you intervene with the government House leader and others to ensure that we have sufficient ministers so that we can direct all of our appropriate important questions to the ministers instead of having them celebrating what they call in education a Rae day?

Hon Brian A. Charlton (Government House Leader): This is by way of some information on this question. As members will know, the Minister of Finance is in Halifax working with the ministers from across the nation around some of the very serious fiscal questions that are faced across this country. The Minister of Agriculture and Food is at a conference with agriculture and food processing sector participants, assisting, at their request, in coordination of some policy development. We also have the unfortunate circumstance today of having several of my colleagues who, having perhaps spent too much time in the same room over the last couple of weeks, find themselves ill with a bug that has affected many over the last several weeks.

Mr Ernie L. Eves (Parry Sound): Very briefly, and echoing some of the comments made by the member for St Catharines, depending on whether you use the Bob Rae new math calculation to determine how many members are in cabinet or the old system of mathematics, there are still about 50% of the cabinet ministers away. I think the point made by the member for St Catharines is quite appropriate. This is the same Premier who's denounced other people for being away at photo ops, and now he's at a photo op himself. How ironic.

The Speaker (Hon David Warner): To the member for St Catharines and indeed to all members, the short answer to the point of order is that a quorum is present and there are cabinet ministers in attendance. The longer answer is that I'm not aware of a Parliament where the Speaker has the power to insist on attendance in the chamber—not that it is impossible, and members may wish to consider such a rule change to give the Speaker that kind of awesome power, but that is something for the members to ponder.

It is, however, now time for oral questions.

ORAL QUESTIONS

WORKERS' COMPENSATION BOARD

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Minister of Labour. Minister, we have yet another question about mismanagement at the Workers' Compensation Board. Under a freedom of information request, we've received documents from the

Workers' Compensation Board that show it has lost \$45 million over three years through overpayments. According to the WCB documents, the reasons for the overpayment include processing errors, computer errors, duplicate payments, out-of-date information and overpayments that have been made after benefits have been revoked. Minister, you keep telling us that you have absolute confidence in the management of the Workers' Compensation Board. Does \$45 million of waste through overpayments do anything at all to shake your confidence?

Hon Bob Mackenzie (Minister of Labour): We're always trying to improve and update the performance at the Workers' Compensation Board, and I think that is in the process of happening. I can also say that most overpayments result in the WCB's attempts to pay benefits as up to date as possible for workers who are injured. If we are unaware of a return to work, benefits may be issued beyond the point of that work date and then efforts have to be made to reclaim them.

Mrs McLeod: As of October, there were some 229,868 people receiving benefits from the Workers' Compensation Board. The information we received states that there are 22,525 people who have received overpayments. That means that approximately one in 10 receives an overpayment, that one in 10 claims results in overpayment being made to that individual. Minister, do you really feel that the WCB's record of making overpayments in one out of 10 claims is an acceptable rate of mismanagement?

Hon Mr Mackenzie: I don't think anybody has an acceptable rate of mismanagement; that's an unfortunate way of putting it. I think overpayments occur as a result of retroactive changes in workers' entitlement and to benefits, or administrative errors. The WCB's systems do not permit a separate analysis of these three categories of overpayment at the moment, and it's one of the issues we're working on at the board.

Mrs McLeod: So we're making some progress. I'm not sure you've actually said that the mismanagement at WCB is unacceptable, but at least the rate of mismanagement at WCB is unacceptable. That has to constitute some progress in having you recognize that there is a serious problem out there.

The \$45 million that is made in overpayments does not even include the overpayments that have been forgiven and written off the books. WCB policies allow case workers to forgive overpayments if they're more than three years old.

I would suggest that it is difficult, if not impossible, to try to recover overpayments that are made to injured workers years after the fact. I suspect most injured workers don't have the money that is needed to make a repayment. The problem needs to be fixed by preventing the overpayments from going out in the first place.

At a time when 27,000 Ontario businesses are facing WCB rate increases of more than 25%, employers have a right to be angry when they see continued examples of the mismanagement at the Workers' Compensation Board. Minister, why is the WCB's only response to its financial crisis and its mismanagement to raise the premiums for employers? We ask you again, when are you going to act

to deal with the mismanagement at the Workers' Compensation Board?

Hon Mr Mackenzie: I take a little bit of exception to the 25% increase in so many there. The member across the way knows specifically that the increase, whether she accepts it or not, is 3%, and that the differences, and there are as many down as there are up, are the adjustments that were made in the classification system.

I can also tell her that the WCB is reviewing its policies to improve the ways and means of preventing overpayments and putting into place more effective collection procedures. That's something we've been working on for some time.

PUBLIC CONSULTATION

Mrs Lyn McLeod (Leader of the Opposition): My second question is to the Minister of Health. Minister, the leader of the third party did ask you a question yesterday about delisting of OHIP services. Quite frankly, we weren't sure whether his question was about your new consultation process or whether it was about user fees, which he supports on the one hand but criticizes you for introducing on the other hand, so we thought we would come back to the question again.

Yesterday, you did launch a public consultation process to consider what health care services are to be covered by OHIP. You told the House that this is a unique and open process. You will certainly know that the ads that are alerting the public of the opportunity to engage in what we believe to be a very important debate started running yesterday.

The deadline for submissions is January 10. There will be only one public hearing. It will be held here in Toronto on January 19. That gives the people of this province 41 days to make written submissions and eight hours to make oral presentations on proposals which could fundamentally change health care in the province of Ontario. I don't need to add that the 41 days take place over Christmas and Hanukkah, and I don't think there are a lot of people who are really focusing on these issues over that period. I ask if you really believe that a meaningful and an open debate can occur over this very short time period.

Hon Ruth Grier (Minister of Health): Let me say to the Leader of the Opposition that the debate on whether services that are not considered by some to be essential, medically necessary, should be covered by our health insurance plan did not start yesterday. It's a debate that has been raging for several years, in fact even before I think we became the government of this province.

It's a debate that has been answered in many cases by decisions that have been taken by government. Under our government, we began to consider taking those decisions in consultation with the Ontario Medical Association because, for the first time, we have an agreement with the medical association to jointly try to manage our health insurance system. But when we proposed earlier this year that a number of procedures—limits on the hours for psychotherapy is a good example to use—we certainly heard from many people around the province that they wanted to make sure their views were known and that

they considered the decision we had suggested an inappropriate one.

We responded, so the debate has moved to a certain extent to a much shorter list of procedures that many doctors and physicians do not believe are essential and that are basically cosmetic services.

1400

The Speaker (Hon David Warner): Could the minister conclude her response, please.

Hon Mrs Grier: In order to have some objective review of those, much of the debate and the argument, the submissions and the letters that have already been received have been heard from. The idea behind the advertisements that the panel inserted was to alert people to its work and to alert anybody not already aware of this issue that they had an opportunity to be heard.

The Speaker: Could the minister please conclude her response.

Hon Mrs Grier: I'm confident that there will be an opportunity for them to be heard.

Mrs McLeod: Minister, there may be some confusion on the part of the people whom you have asked to make presentations to your panel as to exactly what you intend to do with any advice which the panel may then give you. You've said that the process is open. You've said that it is important that we have this kind of open debate on the issues. On that we would agree. But you also indicated yesterday that you would not necessarily accept the advice which was based on this very open discussion.

Minister, we have raised concerns in the past about your apparent readiness to unilaterally make political decisions about the kind of health care that people in this province should receive. I ask you, quite seriously, if you are not going to accept the advice that this panel gives you as a result of this open process, exactly what is the purpose of the consultation and can you tell us today on what basis you are going to make your decisions about the health care that the people of this province need?

Hon Mrs Grier: As we all know, question period is a no-win part of the day. If the Minister of Health is going to make decisions, as has been done in the past, and by other ministers of Health, that's unacceptable, because what does the Minister of Health know about health care? The Minister of Health shouldn't make those decisions.

Then we as a government negotiate an agreement with the Ontario Medical Association that we will jointly manage health care. The joint management committee produces a list of procedures that it says should not be funded by health care and we, as part of our budget and cost-cutting exercise, put out that list and say, "Here are some things we are considering not funding." But that isn't good enough, because what does the Ontario Medical Association and the ministry, through its joint management committee, know? It's got to be a broader process.

Then we move to a broader process. We appoint a panel and we say to the panel, "Give us some advice." That's not good enough either.

The final decision will be made by the government—

that's where the buck stops—and the final decision will be made with all the available information in the very best interests of the people of this province and of protecting the health care system of this province.

Mrs McLeod: The minister is right on one point: Question period can be a no-win situation. We ask you questions about a consultation process which you put in place and trumpeted as being a unique and open opportunity for people to debate their health care needs. You give people no time to respond, you give them one day to make oral presentations, you will not agree to accept the advice that the panel is going to present and you will not tell us on what basis you are going to make the ultimate decisions that you say government must finally make about the health care that the people of this province will receive.

No wonder people come back and say this whole consultation process is a sham. You've got to give them more than that. You've got to give them an assurance that these decisions are not going to be made politically by government.

I say to you too, Minister, that when you reference the fact that you have already had a year-long public debate over the original proposals that you made to delist—

Mr Anthony Perruzza (Downsview): I'm not understanding what you say.

The Speaker: The member for Downsview.

Mrs McLeod: —the only reason there's been a debate is because you have already unilaterally attempted to take away coverage for health care services and people had to react to your unilateral action.

All you've been involved in for the past year is damage control, Minister, and we want this process to be better than that. That's why again I ask you, because we believe that this consultation process should be open and should be meaningful, will you extend the deadline for submissions and will you increase the number of hearings and the location of the hearings so there is a real opportunity for the public to be heard?

Hon Mrs Grier: Let me say that I welcome the acceptance by the opposition of the fact that this should, for the first time in the history of this province, be a process that has some public involvement. I'm glad you agree. Sorry you never thought of it. I hope we do it properly; I'm sure we will.

The recommendations and the consultation of that panel will come back to the joint management committee, which under our agreement with the Ontario Medical Association has assumed responsibility for making recommendations to government. The panel has been the recipient of much of the input that I know the members of my caucus have heard from people. If you haven't heard from anybody around this question, I'm sorry, but certainly all of my colleagues have, and that information has been passed on to the panel. The panel is examining it, and the panel will make its recommendations when it is ready to do so.

INVESTIGATION AT CORRECTIONAL FACILITY

Mr Robert W. Runciman (Leeds-Grenville): I have a question for the Minister of Correctional Services. It's

related to an article in the Toronto Sun today, a story by Christie Blatchford related to an Ontario jail guard at the Guelph Correctional Centre parading a white inmate dressed in a Ku Klux Klan outfit through two cell blocks full of black inmates. I wonder if the minister would describe to the House today if indeed this actually occurred and what he has done in response to this incident.

Hon David Christopherson (Minister of Correctional Services): I am of course aware of the matter. I can say to the honourable member that there was an investigation of this by the ministry's independent investigations unit. They have concluded that investigation, a report was generated and concluded, and I can say that any appropriate action that needed to be taken as a result of that was.

Mr Runciman: I think that's a totally inadequate explanation in respect to this matter. Obviously the Solicitor General's indicating that indeed this incident did occur. He's confirming that. But I think we require more than a confirmation of the occurrence. We need a much fuller explanation in terms of his response, but also why it took his ministry, his government, so long to respond to complaints related to this matter. According to the press reports, it took three years to start the investigation and over a year to complete the investigation.

I hate to say this, Minister, but there's a strong odour of coverup related to this matter, and I ask you for a full explanation in respect to why this took too long and to be more forthcoming in terms of what action you took in response to it.

Hon Mr Christopherson: First of all, let me be very clear that in confirming, using the words of the honourable member, I'm acknowledging that I am aware of an issue and I'm aware of the issue that's raised in the media today and I am not confirming or denying any of the circumstances or specifics that may or may not be included in the article. What I'm saying is that as a result of what is talked about in that article—and I understand that the matter may go back quite a number of years—there was an investigation by the independent investigations unit and they did conclude their investigation and submit a report.

I know the honourable member has a great deal of difficulty with such things as the Freedom of Information and Protection of Privacy Act legislation, but I must again say that individuals have rights, and their rights in this particular case prohibit me from stating anything beyond that which I already have.

Mr Runciman: The minister wonders about my response. In fact it is frustration in respect to many of the responses we get from him and his government. I asked him some specific questions which I feel in no way infringe upon any individual's right to privacy. I asked why the investigation took over three years to begin, why it took over a year to be completed. Minister, I asked you those specific questions.

I think it's fair as well to talk about disciplinary action taken. Apparently none has been taken. I think we have a right to know why none has been taken.

What message does this send to the black community?

The minister and his government right now have a commission on systemic racism in the justice system travelling the province and getting no one to attend, at a cost to taxpayers of some \$3.5 million, when he clearly has a problem in his own backyard.

At least, Mr Minister, answer the questions I put to you today, which in no way infringe on anyone's right to privacy, and indicate what disciplinary action you're taking, and if none, why?

1410

Hon Mr Christopherson: I think the question the member poses very clearly shows that he does not support the concepts contained in the provincial legislation I've talked about. Whether or not in any incident a disciplinary action was taken, within the confines of the Ontario public service, is a matter that does fall under privacy legislation. These matters have been dealt with in this Legislature and in courts.

People have rights, and those rights, with all due respect, do go ahead of the political agenda of the honourable member. I do wish he would separate the difference between that political agenda and our responsibility and my responsibility as the Solicitor General to uphold those rights and to uphold the processes that are contained in our justice system.

Lastly, let me say, in terms of workplace discrimination, this government has put forward policies and initiated training and taken steps that no other government in the history of this province has, and indeed we're very proud of the work that's being done. In my own ministry we're well ahead of what the honourable member would ever do in terms of the kind of training that we now have, and we will continue to do that.

KARLA HOMOLKA

Mr Michael D. Harris (Nipissing): My question is to the Attorney General. I'm sure that by now you have seen the front page of the Toronto Star today regarding the Karla Homolka trial ban. Is it your ministry's opinion that the Toronto Star has broken the publication ban, and if so, will you be laying charges against the Toronto Star?

Hon Marion Boyd (Attorney General): As I have said on a number of occasions, any reported incidents are being looked at very seriously by the ministry. I have not had a report on this particular issue as to whether or not it constitutes a breach of the publication ban, but if it were determined that it did, I would assume the same would apply to the Toronto Star as to any other individual or distributor or publisher that would be liable to action by the justice system.

Mr Harris: Minister, yesterday you and the Premier and your government were quick to condemn the American media outlets for their actions, but the situation today, I believe, is different. We potentially have a Canadian news agency breaking the ban. Emotions are running very high, I think you would agree, on this issue. Every incident that occurs is heightening this. For weeks we've had the ban flaunted in our faces by Gordon Domm of Guelph. Why haven't you laid charges in any of these instances to date?

Hon Mrs Boyd: In the first place, I do not lay charges, as the member is well aware. That is not part of my function. Secondly, as I have said on numerous occasions, this is a very difficult issue. There are two different matters that need to be taken into account. One is a breach of the publication ban that would break section 127 of the Criminal Code, and that is a police matter and the police need to make that determination. The other is the determination of whether or not contempt of court has occurred, and in that instance the Attorney General's ministry takes that action. It is important for us to make those distinctions.

In every instance that has occurred, investigation has either been completed or is ongoing. We take this very seriously as an obligation to maintain the integrity of the justice system and to ensure that any accused has a right to a fair trial. That's our obligation when a court makes a judgement, makes an order, and we will continue to do that.

I cannot, however, and the member is well aware of this, discuss whether or not charges have been laid or are being laid in matters that are under investigation, nor can I discuss the future actions that may be taken. That would be most inappropriate.

Mr Harris: Minister, I think it's important that each one of us remember the reasons for the publication ban in the first place. The courts issued the ban to ensure that the trial of Paul Teale is not jeopardized. That was the reason. That was then and that is today, I think the minister would agree with me, the bottom line. But that trial may not take place for two years, which I suggest to you is another issue for another day.

Given that the front page of one of Ontario's most widely read newspapers today has the appearance, certainly to me, that there is information right on the front page that I have not seen published before anywhere in Canada, and it appears that the potential pitfalls daily for enforcement of the ban are great, then one has to question the tools that you have or your willingness to use the tools that you have to enforce the ban.

I would ask you, as opposed to a few days ago, when you said, "The ban's working fine, there's no problem"—I think you were asked, "Isn't this like a sieve?" and you said, "No, no, it's working fine,"—I think you would agree with me today that it looks more like a sieve. I just wonder if you could outline for us what it is you plan to do differently in the future to uphold and enforce this ban to stop the sieve.

Hon Mrs Boyd: I would say again that I'm not prepared to discuss in this place an investigation that is ongoing. That would be inappropriate. That investigation continues of each breach as it goes along. If charges are laid, they will be pursued vigorously. If charges are not laid, it may be that the judgement was made that either there is not a reasonable prospect of conviction, which of course is the threshold test for any case, or that information that may purport to have breached the ban may not in fact have breached the ban. There are those kinds of possibilities.

But I would say to the member opposite that he is quite right. We all should be most concerned with the

kind of feeding frenzy that has gone on among the press in their efforts to try and sell newspapers, to profit out of this horrible situation, to try and whip up a sense of public support for their contention that their appeal should be seen as being more important, that their appeal to freedom of speech and the right of the public to know should be counted as more important than the right of an accused to a fair trial. I think that is of real concern to all of us.

There is an appeal that has been launched that will be heard on January 31. That date has been set for a number of days. I would expect that these issues will be settled by the court at that time. I would urge that all of us attempt to support the sanctity and the integrity of the criminal justice system to the extent that we can in the meantime.

SALE OF AIRCRAFT

Mr Monte Kwinter (Wilson Heights): In the absence of the Premier and the Minister of Economic Development and Trade, I have no choice but to go to the deputy Deputy Premier, the Minister of Education and Training.

This morning the Premier announced that the de Havilland plant in Downsview had secured an order from SA Express, a South Africa-based company, for 12 de Havilland Dash-8 series 300-B aircraft and an option on an additional six aircraft. The sale of the 12 planes is worth more than US\$150 million. I want to say that we congratulate de Havilland on this sale and rejoice with the workers in this tangible show of support for their efforts.

As a major shareholder in de Havilland, the Premier did not address important questions which arise as a result of this announcement. Members will want to know that when Boeing, the largest and most successful aircraft company in the world, owned de Havilland, every time it sold a Dash-8 it lost \$1 million. As a result, they found their position untenable and subsequently sold the company to a partnership made up of the province of Ontario and Bombardier.

Could the minister tell us whether or not this sale is going to be profitable, and if it is going to be profitable, could he tell us how much money will be made as a result of this particular transaction?

Hon David S. Cooke (Minister of Education and Training): The member asks a very, very specific question on de Havilland. I will indicate to the member that I do not have the specific answer. It would be most appropriate that this question will be taken as notice, and the Premier and the Minister of Economic Development and Trade can respond.

I certainly think the member has made a very good point in reminding the people in the Legislature and the people of the province of this government's commitment to de Havilland and the workers at de Havilland, and the work that the Premier and this government have done to secure those jobs and that investment in Metropolitan Toronto and in the province of Ontario.

1420

Mr Kwinter: I thank the minister for that reply, but he also has to understand that his government also has a

commitment to the taxpayers of Ontario to make sure that their \$49-million investment is secure and that the business is being conducted in a businesslike way.

I have one other area of great concern. The minister may want to know that when Boeing owned de Havilland, it had a two-year waiting period in order to deliver aircraft, because it had back orders. They could only build five a month. I understand the company is only building two aircraft a month, yet in the announcement today, the Premier said that delivery would start taking place in the first quarter of 1994. That can only indicate one thing to me: They have no orders for aircraft. Because they're all custom-built, they don't build them on speculation. If they can start delivering these aircraft in the first quarter of 1994, it indicates to me that there is not very much in the way of back orders for this company, so the workers that you are so anxious to protect have to be in fairly serious jeopardy.

Could the minister tell me whether or not he has any knowledge as to what the status of de Havilland is, and is there in fact a viable number of orders to keep this business functioning?

Mr James J. Bradley (St Catharines): How many notes did you get there, David?

Hon Mr Cooke: I've got quite a few notes, but none that make a lot of sense to me. Actually, it looks like multiple choice.

As I indicated to the member, his questions are detailed questions that deserve a full and complete reply. Certainly, we'll take them as notice and provide the member with a response.

I would also like to get a better understanding at some point of exactly what the position of the Liberal caucus is. Is the member actually suggesting that there should not have been an investment by this government in de Havilland? Is the member actually suggesting that de Havilland should have been allowed to close? Does he not understand the incredible contribution that this company and the jobs make to this community, and the spinoff to the economy in this province?

This government had to go it alone and we saved those jobs without the federal government. If the member doesn't support that, and the Liberal caucus has always spoken out of both sides of its mouth when it comes to de Havilland, then why doesn't he just tell us where they stand?

The Speaker (Hon David Warner): New question, the member for Oakville South.

Mr Gary Carr (Oakville South): Let me ask a question. Tell us how much money we're spending and we'll tell you whether we support it.

The Speaker: To whom is your question directed?

COMMUNITY ECONOMIC DEVELOPMENT SECRETARIAT

Mr Gary Carr (Oakville South): My question is to the Chair of Management Board, in the absence of the Minister of Economic Development and Trade. As the minister will know, the Ministry of Economic Development recently announced the establishment of a commun-

ity economic program. This secretariat is going to cost about \$2.5 billion and is being headed up by a Robin Murray at a salary of \$130,000 a year for two years. Would you be able to tell us what the qualifications were for Mr Murray to head up this important program for the government?

Hon Brian A. Charlton (Chair of the Management Board of Cabinet): I can't unfortunately provide the specific details of Mr Murray's résumé, but I can say to the member opposite that I'm at least aware that he has considerable experience in the community economic development field both here and internationally. I'm sure my colleague the Minister of Economic Development and Trade would be prepared to provide him with further details.

Mr Carr: He may be very qualified, but the problem is this gentleman comes from Britain and I understand we're going to be spending some money for moving expenses for him to move from Britain.

My question to you is very simple: Was there nobody qualified in the province of Ontario, with our unemployment situation as high as it is, to take over this position? The second part is, how much are the taxpayers of this province going to be paying to move this gentleman from Great Britain to Ontario to work with Ontario communities? Very clearly, the questions are, was there nobody from Ontario and how much is it going to cost the taxpayers of this province?

Hon Mr Charlton: There are, as the member has clearly pointed out, two parts to his question and I can't, again, provide the specific details; I'm sure my colleague from Economic Development and Trade can. But I should comment very clearly to the member opposite that this government is embarking on a whole new range of community economic development initiatives never undertaken anywhere in this country before, let alone by either of the administrations across the way in this province.

I should also point out that his first question referred to the fact that my colleague is setting up a community economic development secretariat which includes more than the one person the gentleman across the way refers to. So yes, we have some skill in this province, some locally honed talent that will be part of this process, but it's also clear we're embarking on some initiatives that neither of the parties across the way have had the courage to confront at a community level before in this province.

EMPLOYMENT EQUITY

Mr Tony Martin (Sault Ste Marie): My question is to the honourable Minister of Citizenship and it concerns Bill 79, the employment equity legislation. I would like to preface my question by stating that employment equity has been a bold step towards the equity and justice agenda of this government, and I believe, like most, that employment equity has been a long time coming in the province of Ontario. Although you wouldn't know it by what you read or hear in the media, there is a need to improve the way we practise employment practices across the province. The only stories you hear about, though, are that employment equity, Bill 79, will impose some sort of quota on employers across the province.

Madam Minister, this is a serious issue. There is a misconception that Bill 79 will force employers to hire unqualified people or less-qualified people or even force employers to hire people on the basis of their gender, race or disability just to fill a so-called quota. Is your intention to impose quotas on employers which force them to hire designated group members, and does setting numerical goals really mean fulfilling quotas and hiring unqualified people?

Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations): To my colleague and friend from Sault Ste Marie, I thank you very much for your interest in this particular matter, and I say to all the people who are listening that I know you believe in fairness and justice in the workplace, and Bill 79 will provide for that.

You've asked a very important question and the question was about quotas and whether the government is insisting on employers to hire unqualified people. No, that is not the issue. Bill 79 very clearly states that what we want employers to do is to set, with their bargaining agents if there happens to be a union in the workplace, numerical goals. Those numerical goals would be based on the qualified persons—

Interjections.

The Speaker (Hon David Warner): Order. Would the minister conclude her response, please.

Hon Ms Ziemba: —who are available in the community. This is very important because the employers and the bargaining agent, if one is available, will be setting goals, again, as I state, on very important factors that are respected in the community, and that is the amount of people who are graduating from colleges and universities who have the qualifications and the people who are within that community—I'm sorry, Mr Speaker.

The Speaker: Would the minister please take her seat. The question's been answered. Supplementary?

Mr Martin: Thank you to the minister. You state that the purpose of employment equity is to remove systemic barriers faced by designated group members, but once again I must go back to public perception. The impression out in the public is that white males need not apply and they are somehow being targeted by this legislation. Could you respond to that, Minister?

1430

Hon Ms Ziemba: I think again this is very important to dispel the myth that does exist out there, because employment equity will benefit all workers. It will benefit everybody who is in the workplace because, as employers are setting their goals and as employers are recognizing the barriers that might exist in a workplace, they will start to see a different attitude in that workplace and will make sure that the workplace is looking at all of those concerns that affect all of the employees.

When we talk about the fact that we will be having perhaps reverse discrimination, that takes into fact that there perhaps is a level playing field—

The Speaker: Would the minister conclude her response, please.

Hon Ms Ziemba: That is not the case in point right now. There is not a level playing field. Bill 79 will ensure that we have a level playing field.

PHYSICIAN SHORTAGE

Mrs Barbara Sullivan (Halton Centre): My question is to the Minister of Health. I'm wondering what suggestions you have for a community of 4,000 people who have no access to a physician.

Hon Ruth Grier (Minister of Health): I hope that community is working with my ministry and with the underserved area program to help them identify a physician, and I'd be very glad to have the details from the member and make sure that everything that we can do is being done if there is a remote community that is having that problem.

Mrs Sullivan: The community is Peterborough. In Peterborough four general practitioners have left the community for other purposes, some because of illness, some to enter specialties. Other doctors have taken over their patient loads to the best of their ability, but 4,000 are none the less without access to a general practitioner. The president of the Peterborough Medical Society has called this situation a crisis.

The November list of underserved areas is not yet available and still under revision. I'd like to ask the minister if she will declare Peterborough county an underserved area and if she will ensure that there are adequate physicians in the community to provide necessary medical care, which the Canada Health Act guarantees, to the people of that community.

Hon Mrs Grier: Had the member in her first question identified that it was the community of Peterborough that she was referring to, I would have been able to tell her in my first reply that my colleague the member for Peterborough and I have had a number of discussions around the fact that at the same time a number of private practitioners have left Peterborough.

I have to say to the member that physicians, as independent businessmen and self-employed, frequently move, frequently dispose of their practices, and in some communities there is more difficulty in attracting a physician than in others. I would agree that if a number of doctors leave at the same time from a community, that is a particular issue, but I believe that the community of Peterborough is an extremely attractive place for anyone to want to go and live and for anyone to want to go and practise.

I have every confidence that the fact that there are now vacancies for physicians in Peterborough, which the member for Peterborough as well as the opposition critic have made well known, will attract many physicians who will want to live in Peterborough, because I am sure there are many who would find it a most desirable place to live as compared to other underserved areas in the northern parts of this province which perhaps do not have quite as many obvious amenities to offer.

TOURIST INFORMATION CENTRE

Mr Noble Villeneuve (S-D-G & East Grenville): To the Minister of Culture, Tourism and Recreation: The minister may believe that she's saving some money by

closing down during the winter months the Lancaster tourist information bureau. The centre is the first stopping point for westbound tourists driving into Ontario along the 401. Because of that, many tourists discover places to stay in eastern Ontario such as the Brockville area and many other areas. The Royal Brock Hotel in Brockville has identified the Lancaster tourist bureau as a major source of its winter tourist business. The local chambers of commerce fully agree.

Minister, are you prepared to reconsider your thoughts of closing down the Lancaster tourist bureau along 401 all through the winter months following this year?

Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation): I appreciate the question from the member. I know he's been working hard to raise the issue with me as to whether this is a fair closure or not.

Of course, all members of this House are interested, as is the public, in the continuing streamlining of government operations. I've looked very thoroughly at this issue, and I do feel comfortable that this is an area where it is safe to be able to work on some streamlining of government operations.

The Lancaster centre will continue to stay open when the numbers warrant, namely, between May and October. During that time, we'll continue to have two staff there to try and make sure we protect the safety of staff. On the other hand, during the winter months, the stormy weather etc means that the centre is just not used to the same level that most all-year-round facilities would be used.

In the interests of streamlining operations we are going to be continuing to provide service to the public, but from the Cornwall travel centre as well as from the 1-800-ONTARIO telephone line service.

Mr Villeneuve: It's not the Cornwall travel centre that has the most business. I am quite sure that the busiest area of all is the first tourist bureau coming into Ontario on the 401, and that's the one at Lancaster. It's less than five years old, a brand-new building.

There's no doubt that questionable grants from your ministry have been made, all of which have probably far less impact than the closure of the Lancaster travel information centre. We've identified some of these grants in this Legislature.

This centre is effectively the gateway into Ontario from the Maritimes, from Quebec and from the eastern United States. The Premier has said that the government must work with the private sector to create jobs. In this case, the private sector is feeling devastated and is telling you and us that the centre has done an excellent job. The centre is generating a good deal of income because there is a 10% rebate on every hotel room they book. This is not a money loser. It's almost breaking even.

Minister, will you not please reconsider? It's the most important tourism information centre on the westbound highway.

Hon Ms Swarbrick: The money being generated, the 10% the member is referring to, is the money that's being generated through the pilot throughout eastern Ontario of the central reservation and information services, the CRIS

program, through the 1-800-ONTARIO line.

Visitors will continue to help to generate that 10% revenue through the CRIS service to my ministry and to the service that we'll continue to provide through the 1-800 number as well as through anybody who goes into the Cornwall area to obtain their service.

I do believe that we've looked very carefully at the numbers and the traffic, the quality of service and the type of services that we're delivering in the eastern Ontario area. In terms of providing that, we're operating 12 year-round travel centres throughout the province and six seasonal centres. It does make sense to me that this is one of the areas where we make the change from year-round to seasonal.

SERVICES FOR THE HEARING-IMPAIRED

Mr Gary Malkowski (York East): My question is for the Chair of Management Board. Our government has made a commitment to providing access to persons with disabilities through a number of initiatives such as employment equity legislation. Is Management Board doing anything for deaf people employed through the Ontario public service to enhance their work environment?

Hon Brian A. Charlton (Chair of the Management Board of Cabinet): The member raises an important question. Yes, as a matter of fact, we have started this year a pilot American sign language training program which was funded out of the employment accommodation fund which was set up several years ago. As of September 1 this year, we have 47 people enrolled in that program.

Although, like all new things, these things don't happen instantly, hopefully over time we will be able to significantly expand the ability of the 150 deaf people who work in the OPS currently both to deal between job locations and departments and even ministries, but as well to start to provide some significant access to the public who have hearing disabilities and/or speech disabilities.

1440

Mr Malkowski: How is this training project funded and will this service be provided on an ongoing basis?

Hon Mr Charlton: Currently, as I suggested, the pilot project is being funded out of the employment accommodation fund, and for the next several years it will continue to be funded out of that fund, depending, on the one hand, on the success of this pilot project. That's what pilot projects are about: to determine both the extent of demand that exists out there for this kind of training and the extent of delivery we can cause.

We will have to look at how we in the future regularize the program once we've identified our ability to both deliver service internally to the deaf and deliver services externally to the larger population of this province, who rightfully have, and should have, access to government and government programs which are as much a right to them as to the rest of the residents in this province.

GRANDVIEW TRAINING SCHOOL FOR GIRLS

Mrs Yvonne O'Neill (Ottawa-Rideau): My question is to the Solicitor General and it concerns the two ongoing investigations, one criminal and the other on an

alleged government coverup of the 1976 investigation into abuse at the Grandview Training School for Girls.

Almost 20 months ago, Minister, I asked your predecessor if he received regular updates on this important investigation and, if he did, would he share them with this House. In response to my question at that time, the then Solicitor General told me, and I quote from Hansard, "If for some reason it becomes apparent or I believe the investigation is not being done in an appropriate way or a timely manner, I will consider alternative measures."

Solicitor General, do you believe that these investigations are proceeding in a timely way? You know and I know that there have been but two citizens charged in almost three full years of investigation, the last charge being laid fully seven months ago.

My question today is, how many police officers on this day, December 1, 1993, are dedicated to each of these investigations: the investigation of a government coverup and the criminal investigation? How many police officers are working full-time to obtain justice for the victims of Grandview?

Hon David Christopherson (Solicitor General and Minister of Correctional Services): I appreciate the question from the honourable member. What I would say to her in this regard is that the question of how many officers and what resources are brought to bear on any particular investigation is indeed the decision of the local chief or the commissioner of the OPP. It's an operational matter. They make those determinations, and I believe that is indeed the way that it should be.

I'm not in a position on this, or quite frankly any other, investigation to talk about the number of actual officers or exact dollar amounts. I would refer the member to the appropriate chief or to the commissioner if she would like further details beyond what I can say here today.

Mrs O'Neill: That answer is really going backwards. At least the previous Solicitor General would tell us that there were 10 police officers on one investigation and 10 on another. This particular minister will tell us nothing.

I also asked your predecessor and I'm asking you today, how is it possible for you as minister to be impartial when you, Solicitor General, are the member of the executive council who is responsible for the Ministry of Correctional Services, the branch of government being investigated?

You are responsible for the investigations. Whether you want to tell me the number and the resources available or not, yours is still the ultimate responsibility in this case. You're responsible for the investigators and you're also responsible for those being investigated.

During the hearings of the standing committee on estimates on October 20, 1993, your colleague the Attorney General acknowledged in response to my question about these investigations that it is difficult for the Grandview women—

The Speaker (Hon David Warner): Would the member place a supplementary, please.

Mrs O'Neill: —to have trust in a government agency. She also stated on that occasion that she is frustrated with

the snail's pace of this investigation.

We understand the victims have been told—

The Speaker: Would the member please place a supplementary.

Mrs O'Neill: —that the coverup investigation is in abeyance. Minister, do you believe you can effectively be responsible for the investigation and those being investigated, and is the coverup investigation in abeyance?

Hon Mr Christopherson: I'm trying to work my way through the question. I believe that the honourable member has the answer to her question with my last response.

The fact that the decisions around the number of officers, around how much deployment of resources is put into any individual investigation, are indeed the responsibility of the chief or the OPP commissioner very much shows that those responsibilities are where they should be. They should be in the hands of the senior officers responsible. They should be at arm's length from my ministry. I should not be making those determinations. I am not making those determinations. I believe that things are being conducted in exactly the way the legislation intended and in the best interests of the public.

GOVERNMENT CONTRACT

Mr David Turnbull (York Mills): My question is to the Minister of Transportation. Minister, in June 1992 I asked you about your friend Wally Majesky from FP Labour Consultant Services and your award to him of a \$160,000 unsolicited, untendered contract. You awarded your pal the contract with a deadline of spring 1993, but later we were informed by MTO that the final report had been delayed until October 1993. Minister, it's December. Where's the report?

Hon Gilles Pouliot (Minister of Transportation): What the member opposite is referring to is the sole-source provision under the jurisdictional capacity of the Chair of Management Board. Everything that is being done here is legit. It is completely and totally aboveboard. It will stand any and every scrutiny. There is nothing out of the ordinary.

Also, when you have an important report, it's not the first time in the Legislative Assembly of Ontario that a report solicited by way of contractual arrangement is a month or two months late. Just have a little patience. I remember some of the reports, when you were in government for 42 years, that never even made it to Queen's Park.

Mr Turnbull: The minister didn't answer my question. I said it had been due in the spring, then it was delayed until October and it still isn't here.

You know quite well, Minister, from your own documents, which we got by way of FOI, that the information in this report was to a great extent duplicating existing information. It was clear that you wanted to give money to the Wally Majesky retirement fund. Even with the assistance of staff from MTO, you still don't have the report. My question is, are you suppressing this report until after the House rises so that it masks this expenditure of \$160,000 to create a prep school for up-and-coming union bosses?

Hon Mr Pouliot: I'm somewhat appalled and shocked that under the sanctity of immunity a citizen's reputation would get soiled. Mr Majesky is an honourable member of society. He is a proud citizen. I invite the member to go and make the same kind of stinging attack outside this Legislature.

To the question, what was commissioned, the criteria, the mandate, the task that had to be adhered to are of a meticulous nature. It is also voluminous. There is a lot of work there and we're a few months late, but the report should reach us within weeks.

1450

CHILDREN'S SERVICES

Mrs Elinor Caplan (Oriole): My question is to the Minister of Community and Social Services. Kerry's Place is a home which cares for developmentally handicapped children under the age of 21. However, once residents reach the age of 21, they are no longer qualified for the services that Kerry's Place offers.

My constituents' son, Jordan Weinroth, is a young man who suffers from autism. He and six other young people aged 21 or older are being forced out of the Kerry's Place program. Without appropriate care, Jordan will withdraw into himself. He has made enormous progress at Kerry's Place, and all of that will be undone if he is evicted and forced from the program.

Will you guarantee today that Jordan Weinroth and the six other young people who are being forced from the Kerry's Place program will not be evicted until they are placed in a suitable and appropriate program? Will you give that commitment today, that you won't leave them out there without any support?

Hon Tony Silipo (Minister of Community and Social Services): I would certainly be prepared to commit that we will look into the matter and provide whatever assistance we can. What we have tried to do in situations like this is try to ensure that everything is done to have an appropriate placement for these young people, because this is an issue that we know continues to be a problem.

We're also trying to deal at a policy level with the issue itself, but in the meantime we try to deal with these instances on an individual basis. I'd certainly be prepared to have us look in more detail into the matter and see what more can be done.

Mrs Caplan: Minister, I appreciate your response. It is very important that you give those families your assurance today that their young people will not be forced out of that program until there is an appropriate placement available for them. That has been an assurance that has been given in the past. It's appropriate for you to give that assurance today.

This is creating tremendous anxiety among those families. These young people have received excellent care. They've made enormous progress. What I'm asking you today is for your commitment as Minister of Community and Social Services that they will not be forced from one program until an appropriate and suitable placement is available for them. That is a reasonable request. I ask you to make it today.

Hon Mr Silipo: If it wasn't clear in my first answer,

let me be very clear. What we have done in instances like this is to ensure that the individuals are not moved out of the facility or out of the placement until another appropriate placement is found, and I would expect that would be the course of action we would follow in this instance. I would be prepared to follow up and ensure that happens.

Mrs Yvonne O'Neill (Ottawa-Rideau): On a point of order, Mr Speaker: I wish to advise you and the House of my dissatisfaction with the answer from the Solicitor General today, and I will be asking for a late show on this matter. It's disgusting, in this week of observation about violence against women, that I get an answer like this on a subject of such importance.

The Deputy Speaker (Mr Gilles E. Morin): Make sure you advise the table accordingly.

PETITIONS

SEXUAL ORIENTATION

Mr Hugh O'Neil (Quinte): I have a petition I've been asked to present in the Legislature. This petition has been signed by many of the residents of the Frankford area and it concerns their protests and complaints about Bill 45.

TAXATION

Mr James J. Bradley (St Catharines): I have a petition addressed to the Legislative Assembly.

"We, the undersigned, petition the government of Ontario that,

"Whereas the government of Ontario has introduced over \$3 billion"—

Interjections.

The Deputy Speaker (Mr Gilles E. Morin): Order. The member for St Catharines.

Mr Bradley: Yes, I have Brant, the page, standing beside me to receive this petition. It's to the Legislative Assembly of Ontario.

"We, the undersigned, petition the government of Ontario as follows:

"Whereas the government of Ontario has introduced over \$3 billion in new taxes; and

"Whereas the government has continued to mismanage the economy; and

"Whereas new taxes will only further hurt businesses in Ontario;

"The government of Ontario should cancel any new tax initiatives and place more emphasis on reducing wasteful spending."

This is signed by many residents of the province of Ontario and I will affix my signature to it as well.

Interjections.

The Deputy Speaker: Order, members. If you wish to conduct conversation, I would invite you to do it outside the House, please.

SEXUAL ORIENTATION

Mr Peter North (Elgin): I have two petitions in opposition to Bill 55, which makes it illegal, "with fines of up to \$50,000, for people to make any public statement, written or oral, which ridicules, demeans or discriminates against a person on the grounds of sexual

orientation. This is a grave threat to free speech in a democratic society.

"Bill 55 is also an attack on freedom of religion against historical Christianity, which does not condone homosexuality.

"We want to maintain our basic right to disagree with homosexuality, which in no way should be equated with hatred."

There are some 88 signatures on these petitions.

PICKERING AIRPORT LAND

Mr Jim Wiseman (Durham West): Today is December 1, and the residents of north Pickering are now on a 90-day watch.

"To the Legislature of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site and that they are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government sale plan;

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents therein."

This is signed by residents of Scarborough, on Danforth, Kingsmount, Scarboro Crescent and Kingston Road. I affix my signature and hope, this being December 1, that the federal government will now take some action.

TAXATION

Mr Chris Stockwell (Etobicoke West): I have a petition signed by hundreds of taxpayers in the province of Ontario.

"To the Legislative Assembly:

"We, the undersigned, petition the government of Ontario that,

"Whereas the government of Ontario has introduced over \$3 billion in new taxes; and

"Whereas the government has continued to mismanage the economy; and

"Whereas new taxes will only further hurt businesses in Ontario—

Interjection.

Mr Stockwell: Mr Speaker, this is from hundreds of constituents in Ontario. I would ask for the attention of the member for Durham West. They went to a lot of trouble to make this.

"Therefore, the government of Ontario should cancel any new tax initiatives and place more emphasis on reducing wasteful government spending."

My friend Joe will take this down to the table.

PICKERING AIRPORT LAND

Mr Larry O'Connor (Durham-York): I've got a petition here to the Legislature of Ontario:

"Whereas the federal government intends to dispose of

surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government sale plan;

"We, the undersigned, petition the Legislature as follows:

"Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rich rural resources and the community of residents therein."

That's all the community residents want, to be included in the process. I hear there are assessments happening on the property today.

TAXATION

Mr Bill Murdoch (Grey-Owen Sound): I have a petition which has been signed by well over 300 people from my riding, and it is to the Legislative Assembly:

"We, the undersigned, petition the government of Ontario that,

"Whereas the government of Ontario has introduced over \$3 billion in new taxes; and

"Whereas the government has continued to mismanage the economy; and

"Whereas new taxes will only further hurt business in Ontario;

"The government of Ontario should cancel any new tax initiatives and place more emphasis on reducing wasteful spending."

CASINO GAMBLING

Mr Randy R. Hope (Chatham-Kent): I have a petition addressed to the Legislative Assembly of Ontario which is signed by a number of residents in the small community outside my riding of the town of Merlin and Tilbury. It has a number of "whereases" which talk about gambling:

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario cease all moves to establish casino gambling."

On behalf of those constituents in my colleague's riding, I wish to present it.

TAXATION

Mr Tim Murphy (St George-St David): I have a petition addressed to the Legislative Assembly:

"We, the undersigned, petition the government of Ontario that,

"Whereas the government of Ontario has introduced over \$3 billion in new taxes; and

"Whereas the government has continued to mismanage the economy; and

"Whereas new taxes will only further hurt businesses in Ontario,

"The government of Ontario should cancel any new tax initiatives and place more emphasis on reducing wasteful spending."

It's signed by a number of constituents of the province of Ontario and I affix my name to it as well.

1500

TAX EXEMPTION

Mr Leo Jordan (Lanark-Renfrew): "On behalf of the Mississippi Valley Conservation Authority and the advisory board of the Mill of Kintail Museum, we send this letter and the enclosed signed petition in support of your private member's Bill 46, An Act to amend the Municipal Act to provide for Tax Exemptions."

"Petition to the Legislative Assembly of Ontario:

"Whereas museums are an essential part of the community, serving to preserve heritage and educate the public; and

"Whereas municipal government should be empowered to provide automatic support for museums by enabling them to pass a bylaw exempting particular museums from municipal and school board taxes;

"We, the undersigned, petition the Legislative Assembly of Ontario to support Leo Jordan's private Bill 46, An Act to amend the Municipal Act to provide for Tax Exemptions."

That's been signed by over 100 people and forwarded by the reeve of Lanark township.

PICKERING AIRPORT LAND

Mr Anthony Perruzza (Downsview): I have a petition here and it's addressed to the Legislature of Ontario. It reads:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive"—

Mr James J. Bradley (St Catharines): What about the provincial government?

Mr Perruzza: I ask my Liberal friend to listen up, please. This has been forwarded by residents of Ontario to you. It says:

"Whereas the residents have not been informed of the immediacy of the federal government sale plan;

"We, the undersigned, petition the Legislature of Ontario as follows"—

Mr Bradley: What about the provincial government land?

Mr Gerry Phillips (Scarborough-Agincourt): Have you told them about the sale of the golf course?

Mr Perruzza: Mr Speaker, I would ask through you that my Liberal colleagues listen up and stop heckling.

It reads:

"Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents there."

To this petition I affix my signature and I urge all my Liberal colleagues to do otherwise.

GAMBLING

Mr James J. Bradley (St Catharines): This is addressed to the Legislative Assembly of Ontario. This

was provided to me by Dennis Drainville, the former member.

"Whereas the government of Ontario has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the government of Ontario claims to have had a historical concern for the poor in society who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the government of Ontario has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted appropriately regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

I will affix my signature, as I'm in agreement.

SEXUAL ORIENTATION

Mr Peter North (Elgin): I have a petition here that states:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Bill 45 will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex.' This will redefine the family as we know it. We believe that there will be an enormous negative impact on our society, both morally and economically, over the long term if fundamental institutions such as marriage are redefined to accommodate homosexual special-interest groups.

"We believe in freedom from discrimination, which is enjoyed by everyone by law now, but since the words 'sexual orientation' have not been defined in the Ontario Human Rights Code, may include sado-masochism, paedophilia, bestiality, etc and since sexual orientation is elevated to the same level as morally neutral characteristics of race, religion, age, sex, we believe all such references should be removed from the code.

"Therefore, we request that the House refrain from passing Bill 45."

It's signed by some 200 residents of Elgin county and I put it forward to the government.

PICKERING AIRPORT LAND

Mr George Mammoliti (Yorkview): I have a petition here and it's addressed to the Legislature of Ontario, and

another one actually that's directed to the Liberal federal government.

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government sale plan,

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents there."

It's signed by a number of individuals and again addressed to the federal Liberal government.

SEXUAL ORIENTATION

Mrs Joan M. Fawcett (Northumberland): I have a petition, actually, from many residents in Hamilton who were afraid that their NDP MPP would not read it, and so I will be only too happy to do my duty.

Mr Anthony Perruzza (Downsview): Oh, she's being inciteful.

Mrs Fawcett: "To the honourable Lieutenant Governor and the Legislative Assembly of Ontario"—

Mr Perruzza: It's downright rude.

The Deputy Speaker (Mr Gilles E. Morin): Order, the member for Yorkview.

Mrs Fawcett: "We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Bill 45 will change the meaning of the word 'spouse' in marital status by removing the words 'of the opposite sex.' We believe that there will be an enormous negative impact on our society both morally and economically over the long term if fundamental institutions such as marriage are redefined to accommodate homosexual special-interest groups.

"We believe in freedom from discrimination, which is enjoyed by everyone by law now, but since the words 'sexual orientation' have not been defined in the Ontario Human Rights Code, may include sado-masochism, paedophilia, bestiality, etc and since sexual orientation is elevated to the same level as morally neutral characteristics of race, religion, age, sex, we believe all such references should be removed from the code.

"Therefore, we request that the House refrain from passing Bill 45."

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mrs Marland from the standing committee on government agencies presented the committee's 11th report and moved its adoption.

The Deputy Speaker (Mr Gilles E. Morin): Do you wish to make a statement?

Mrs Marland: No, thank you. I do not wish to make a statement.

The Deputy Speaker: Pursuant to standing order 106(g)(11), the report is deemed to be adopted by the House.

INTRODUCTION OF BILLS

ALL-WOOD LAND CLEARING LTD ACT, 1993

On motion by Ms Murdock, the following bill was given first reading:

Bill Pr67, An Act to revive All-Wood Land Clearing Ltd.

1510

ORDERS OF THE DAY

TIME ALLOCATION

The Deputy Speaker (Mr Gilles E. Morin): Mr Charlton moves government notice of motion number 20. Mr Charlton.

Mr Murray J. Elston (Bruce): On a point of order, Mr Speaker: Can you tell us, for the record, how many time allocation motions this has been in the last two weeks? It would be helpful for us during the debate that is about to follow.

The Deputy Speaker: Orders of the day has been given. The minister has been asked to address the House.

Hon Brian A. Charlton (Government House Leader): Before I move the motion, Mr Speaker, I believe we have agreement to split the time equally three ways this afternoon.

The Deputy Speaker: Is there unanimous agreement? There is.

Mr Charlton moved government notice of motion number 20:

That, pursuant to standing order 46 and notwithstanding any other standing order in relation to Bill 79, An Act to provide for Employment Equity for Aboriginal People, People with Disabilities, Members of Racial Minorities and Women, the standing committee on administration of justice shall complete clause-by-clause consideration of the bill by Monday, December 6, 1993. All proposed amendments must be filed with the clerk of the committee prior to 12 noon on the abovenoted day. At 5 pm on that same day, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee shall interrupt the proceedings and shall, without further amendment or debate, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. Any divisions required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 128(a).

That the committee be authorized to continue to meet beyond its normal adjournment if necessary until consideration of clause-by-clause has been completed. The committee shall report the bill to the House on the first available day following completion of clause-by-clause consideration that reports from committees may be received. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to be reported to and received by the House.

That upon receiving the report of the standing commit-

tee on administration of justice, the Speaker shall put the question for adoption of the report forthwith, which question shall be decided without debate or amendment, and at such time the bill shall be ordered for third reading.

That two hours be allotted to the third reading stage of the bill. At the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment.

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes and no deferral of any division pursuant to standing order 28(g) shall be permitted.

Hon Mr Charlton: Members here and those who watch this place on television occasionally may have noticed the House leader for the official opposition party get up on his point of order before I moved the motion and raise the question of how many time allocation motions this government has dealt with in the last two weeks. I'm more than happy to provide that information to the member opposite.

This afternoon will be the fifth debate on time allocation. In that context, because I believe it fits very well into the discussion of the rationale for this motion this afternoon, we have to go back over some of what has been said before here in the House, some of what the opposition parties, both the Liberal and Conservative parties in this Legislature, have not yet come to terms with. I noticed, for example, that during the last several debates on time allocation motions, the members opposite referred repeatedly to the use of time allocation motions stemming democracy and shortening debates and the like. Comments like that were rampant throughout comments made by the two opposition parties in relation to some of the other time allocation motions that have been debated.

I have said in this House before, and I will say it again this afternoon, that the opposition can complain about the use of time allocation motions and perhaps even convince some in the public that the use of time allocation motions is being abused. But the basic, fundamental reality is that the debates in this place, on average, on each and every single bill we deal with, are taking two and a half times what the traditions of this House would indicate even with the use of time allocation.

What the public, at the end of the day, has to understand is that even with this government's use of a technique like time allocation, we will not bring the amount of time allotted to each bill that gets debated back down to the traditional norms. We may get it down from two and a half times more to two times more or perhaps even down to one and a half times more, but we haven't come even close yet to matching the historic, the traditional norms under the Davis administration in the early 1980s or under the Peterson administration of the late 1980s.

I would be more than happy as the government House leader if we could simply get the debate times on average back down to 150%, back down to one and a half times what we used to spend overall on legislative debate, but I won't. Again, even using these time allocation motions

to finish the legislative process, I won't get back down to one and a half times. I'll likely get down to somewhere between one and a half and two times the normal amount of time spent on debate on each and every piece of legislation we consider here in this House.

The opposition will speak to this issue as an issue of restricting democracy and the right to speak. The reality is that this House deals with time allocation motions and this government deals with time allocation motions for the same reasons that our predecessors dealt with time allocation motions, both in the old Conservative administration and in the Liberal administration, and the reality is that those administrations used those techniques far less frequently because they were debating at one and not at a level of two and a half.

When governments have to move at some point to deal with the completion of their legislative agenda, in the circumstances where the government has a majority, as they had, as I said, in the old Bill Davis Tory administration, as they had in the Peterson administration here in this House in the late 1980s, at the end of the day the majority that supports the legislative program of the government has the right to proceed and to implement the legislative agenda which the government has put forward.

The use of these time allocation motions is about trying to get that legislative program in place and at the same time trying to bring the average amount of time we spend on each and every piece of legislation in this process here back down into a reasonable range, a range that's acceptable for the overall conduct of a government legislative program.

Mr Tim Murphy (St George-St David): I heard what the government House leader has to say, and it is both wrong and completely unjustified in this circumstance.

I think it's important to go through a bit of the history of this bill to show that what the government is doing is exactly what has been said in other circumstances, and that is stamping on democracy, getting rid of democracy. What we had in this House was a second reading debate that proceeded in its normal course, and the government did not feel it was untoward, did not feel time allocation was necessary. We have not yet been in the House—this is the first circumstance where we're back in the House—since it passed on second reading, and it goes straight to time allocation.

It's an outrage. It's stamping on the public's right to have a say. It is completely unjustified in the circumstances. You have to ask the question, what's the hurry?
1520

This bill, the employment equity bill, was introduced in June 1992. The government did not decide to call it, even for any consideration whatsoever in this House, until June 1993. Then it decided that it needed to go to committee, which was appropriate. We agreed on that.

We had three weeks of public hearings, which did not even begin to get at the number of people who wanted to speak to this bill. In fact, during the course of the public hearings on the bill, the minister sent out another letter, despite the fact that the committee agenda was full,

encouraging people to come and make submissions; an incredible effrontery to the committee and unnecessary to all those people who thought they might have had a chance to speak to the bill but were denied that opportunity because the government wouldn't give them any more time to do it.

Mr Gordon Mills (Durham East): Ninety-two hours.

Mr Murphy: I hear the member for Durham West yelling "Ninety-two hours." The interesting fact is that it's 92 hours of the government's own incompetence in this committee, incredible incompetence.

Mr Jim Wiseman (Durham West): On a point of order, Mr Speaker: I'd like to correct the record at this time. I was not yelling out anything. I was quietly working away here and listening to what the member had to say. I think that accuracy would be helpful even in his speech.

The Deputy Speaker: This is not a point of order. It's a distraction to the procedures.

Mr Murphy: Mr Mills, from Durham East, was the person who was yelling. The member for Durham West was probably yelling about dumps, but I don't want to get into that. I hope he's polished up his résumé.

Interjection.

The Deputy Speaker: Order. The member for Downsview, twice this afternoon I've warned you.

Mr Murphy: I think it's symbolic of this government's disdain for democracy that it's not even prepared to listen to debate in this House and instead finds it necessary to heckle and talk over the people who are speaking.

Mr Kimble Sutherland (Oxford): Come on, get on with your speech.

Mr Murphy: They're doing that both with this motion to allocate time and in the yelling that various members such as the member for Oxford is making, and the member for Downsview and others, who are attempting to disrupt the proceedings by yelling across the floor, including the member for Fort York.

The member for Durham East mentioned 92 hours of debate in committee. What we had was a litany of 92 hours of incompetence by the government, which couldn't run its own agenda. The members on that committee on occasion were trying to fulfil their duties and they too were surprised, it seems to me, by the level of incompetence shown by the government in managing what was happening in that committee. I see the Chair of that committee, and I'm sure even he found it frustrating at times to watch how ill prepared the parliamentary assistant was. It was incredible to me.

Let's give a sense of that: We went into the clause-by-clause proceedings right after the public hearings, despite, I think, a reasonable request to say we needed some time, all of us, to put forward amendments to the bill. But the government said, "No, we need to go right ahead with this." Then we proceeded right after the weekend into clause-by-clause, and the government wasn't ready with its amendments; it filed them at the last possible moment, sending some on Saturday. Then we started to proceed,

and it was clear they didn't have a good sense of what they wanted to do, and we started debating it.

In the course of those first three days, and I'm sure the member for Durham East will remember this, the government adjourned six or seven times while it tried to figure out what it was doing, tried to figure out how it was going to vote, what its own amendments meant, trying to work out its position as between the minister, the parliamentary assistant and the members of the committee.

I know there was some discord in that committee between the members, who were trying to do a good job, trying to listen to the public hearings. The minister's staff in the minister's office and the parliamentary assistant were trying to force unworkable compromises, but we went through that. At the end of it, the government said it wanted that three days to be adjourned so it could come back with a set of amendments that it thought could be workable.

Those first three days, despite the member for Durham East's mention of 92 hours, were frankly a waste of time. The government wasn't ready, didn't know what it was doing, didn't have its amendments ready. I'm sure the member for Durham East, when he looks in his heart of hearts, will recognize that those three days should not have happened, that they were a waste of time. You cannot count those as part of what we were doing. I'm sure also that the member for Durham East, when he gets up, will say that the 92 hours probably also include the public hearing time in that count. So it's not clause-by-clause consideration.

The government says, "We'll come back with some amendments when we're ready." So the House resumes, we come back, and what happens? In the first day of that committee, when we resume, the government stands down almost half of the first 14 sections we'd reached and then proceeds to stand down 10 more sections on the next day. So in a 54-section bill, where we have in total more than 200 amendments—it's a detailed, complicated bill—for half of the sections in the bill, the government has stood down the amendments, because it's not ready, because it doesn't know what it's doing, because of the incompetence in the management of this committee.

It was an astounding sight to see, Mr Speaker. You weren't sitting in the committee at that time and I'm glad you were spared that sight. What was clear in the committee was that the government was not ready at that point to proceed. In fact, what it was telling us through the parliamentary assistant, Mr Fletcher, the member for Guelph, I believe—he said: "Oh no, we're going to have the amendments ready. Trust us." We asked, "Well, when are those amendments going to be ready?" He said: "In due course. We're not sure. We haven't decided."

We decided that until the government was ready, until it knew what it was doing and had achieved some level of competence at least, it was useless to continue in the committee. So we left that committee, and the government agreed to adjourn it and said, "We'll come back when we're ready."

Two weeks later, after having two weeks to finalize what it was going to do, the government gives us a set of amendments on the Saturday before the Monday the

committee is to resume. But that's not all. It decides to give us another 10 or 15 amendments. The member for Fort York I'm sure will remember this. At 2:30 of the day the committee is to sit, they give us another 10 or 15 amendments. Frankly, they were delivered outside of what the rules say they should be delivered in. They're supposed to be delivered two hours before the beginning and they weren't. It was less than an hour. We asked the parliamentary assistant, we asked the minister, and they could give no reason, because it was clear there was no reason, other than their own incompetence, for the failure to deliver those amendments on time.

Then we finally reach a point where the government is ready, we think, and we start to discuss the bill in committee. Since that time, we've gone from the preamble to section 50 in the bill. We have left four sections, two of which are the name of the bill and the proclamation date.

In substance, if the government had decided not to restrict democracy, not to show its disdain for the democratic process, we would likely have finished the clause-by-clause consideration of this bill within the very time that the government says it should be finished in, without restricting democracy, without limiting third reading debate, without denying people the opportunity to speak to this on third reading in the House.

There is no justification the government can show for doing this on this bill; simply no justification. I know the member for London South, Mr Winninger—I hope I got his riding right; I see him here in the chair—the member for Fort York, the member for Oxford, who was here for a while on the committee, and the member for Durham East will admit in their heart of hearts that there is no justification for this.

We worked hard in that committee on this bill. We proceeded with due pace, full consideration, and where there was not an appropriate area for lengthy debate, we agreed. There were votes where we agreed. They'll know in their heart of hearts that we moved honest and valuable amendments, which some of them, if they had thought about it, if they hadn't been stamped on by their own minister, their own parliamentary assistant, would have loved to have voted for.

I can see the member for Fort York sitting over there looking at me. I know of at least two that he would've been glad if his caucus had been able to vote for them, very glad, because I, for example, moved amendments to provide some opportunity for gays and lesbians to participate, and that member did not convince his own caucus to do it, could not convince his own caucus to vote for it.

It's kind of a shame because we have a bill that's assigned to certain designated groups but it excludes others. I can't see how the member for Fort York and others can stand up in this House and say that there is an absence of discrimination for those who are excluded from the terms of this bill.

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Those are some of the kinds of debates we had in a full and frank way in that committee, and there is no

justification for saying now that we need to put the jackboots on the debate, to stamp down democracy. It's just an outrage.

I think it's interesting that the government House leader said—in the last some two weeks, this is the fifth time allocation motion. This was an amendment that I believe the previous government House leader, the member for Windsor-Riverside, the current Minister of Education and Training, introduced with a promise that: "Oh, no, it won't be used very much. We promise it won't be used very much". Five times in two weeks they've used a time allocation motion, stamping down on democracy.

I can remember the previous member for Scarborough West, Richard Johnston, and the previous member for Riverdale, Jim Renwick, very fine and respected members of the NDP party, railing against exactly the kind of thing you're doing here. Those were great members.

Hon David S. Cooke (Minister of Education and Training): That was the old days when you had responsible opposition parties.

Mr Murphy: Now the minister's yelling across the floor. I tell you, those two members were responsible opposition members, and they participated in debate and they wanted more debate, not less.

Unlike the government House leader, you count in the budget debate, the limitations you've brought in on concurrence in supply motions. There was an equal amount to the kind of debate that was allowed when the Progressive Conservative administration was in, when the Peterson administration was in.

Hon Mr Cooke: You probably wrote time—

Mr Murphy: Through you, Mr Speaker, to the Minister of Education and Training, I hope he participates in the debate. I'm looking forward to him standing up and justifying this outrageous stamping out of democracy that he stood up and said would not be used, that it would not be used in this House. I'm looking forward to his participation. I hope his presence here means he is going to do that, because I'd like to know how he's going to justify doing what Richard Johnston and Jim Renwick would never have done if they were still in this assembly—ever.

I had the opportunity to work with Mr Renwick when I was an intern, worked four months with Mr Renwick, and he was a very excellent member of this chamber. I have to tell you that I think he'd be embarrassed about what the government House leader is doing and what the previous government House leader's participating in. The Minister of Education and Training sat with that member in this House, and I'm sure he agrees with me, if he's thought about it.

The unfortunate thing is that what we're really doing and what the government is doing is debasing this institution. Everything it's done is debasing this institution. It continues to do that time and time again.

I see the Attorney General in the House, Mr Speaker. I raised a point of privilege with you yesterday as to the Attorney General working in a way, it seemed to me, that debased this institution by arguing, against laws that this

place had passed, in courts, which I find an outrageous thing to do. That's not in a partisan way. I think that is an Attorney General taking on a role that is inappropriate as an Attorney General with respect to this institution as a Legislature.

The policy decisions the Attorney General has made in that regard may very well be the right ones. That's not the issue. The issue is being responsive to the Legislature and responsive to the democratic will of the people as expressed by electing members in here. We may need to have rules that make it more workable, but this is not the way to do it, to stamp out democracy, to bring in motions that limit the debate.

Let's be frank. This is a very controversial piece of legislation and of ever-increasing interest. We had a list of people who wanted to speak to this bill that was very, very lengthy. I'm sure that as people come to be aware of what it's going to mean in the day-to-day workforces across this province, there's going to be even more interest.

But I'd like to talk, if I can, about some of the kinds of things that we started to talk about in the committee, the kind of issues that we'd like to discuss but that this stamping out of democracy is going to limit. For example—

Mr Sutherland: Oh.

Mr Murphy: The member for Oxford complains about this, but that's exactly what he's participating in by voting for this time allocation motion when it comes up. I'm sure he'll be voting for it, because he, like the other members of the committee, never once wavered from that party line. I suppose that's a tribute to the whip for the government, who is across the House here.

It's unfortunate that some of the members of the government caucus can't exercise independence and creativity, like the former member for Victoria-Haliburton and a few others.

Mr Sutherland: It could have been different.

Mr Murphy: Yes, it could have been different, Mr Sutherland—I apologize; the member for Oxford.

Mr Anthony Perruzza (Downsview): You are going to be different. Everyone in this place knows it.

Mr Murphy: As always, I appreciate the irrelevant contributions from the member for Downsview.

I want to talk a bit about what kinds of issues we could talk about in the committee, but unfortunately because of the stamping out of democratic input this government is undertaking by this time allocation, by this closure, by this guillotine motion against debate—I think it's interesting. One of the issues, for example, was an ad in Job Mart not that very long ago and I'd like to read part of it, if I can: "This competition is limited to the following employment equity designated groups: aboriginal peoples, francophones, persons with disabilities, racial minorities and women."

The bottom line in this ad is that what it's saying is that white men need not apply because they were not going to be considered at all for those positions. The government withdrew this ad saying, "It was inappropriate."

Those were the Premier's own words.

I decided to take the government at its own word, to trust it, so I moved an amendment in committee, taking the Premier's own words that this was not the kind of thing we should do. What we're trying to do within employment equity, with that kind of concept is to level the playing field, not put a thumb on the balance on one end but to level it, to make sure everyone's equal. So I put an amendment in that committee on behalf of the Liberal caucus to say that this kind of thing should not be allowed.

I know it won't be a surprise to you, Mr Speaker, nor to the member for Durham East, since he was there, that the government voted against it, confirming, I think, everyone's suspicion that when the time comes, this is exactly the kind of thing this government is going to do. It's going to say, "White men need not apply," because it was not prepared to support an amendment that prohibited this very practice from happening.

I think that's an unfortunate message. It's not just me and the Liberal Party or my leader, Lyn McLeod, who espouse this view; it's respected civil libertarians in this province as well.

Alan Borovoy, the head of the Canadian Civil Liberties Association, has come out and said exactly the same thing. He said that this is an unnecessary and unjustifiable intrusion on civil liberties. Mr Borovoy supports employment equity, but he quite rightly points out that this will have the absolute opposite effect. This will damage any efforts in employment equity, because it's going to raise, and probably quite appropriately, the fears of white males in this province that they're going to be targeted, and that's not appropriate.

1540

But that's not the only problem and the kind of issue that we could have discussed, except for this stamping out of democracy, this guillotine action by this government. One of them is an amendment that the Liberal Party made on behalf of our leader, Lyn McLeod, to say that at the end of the day, even after the government's process of supportive and positive measures and barrier removal and all the bureaucratise of the bill have been worked through, an employer must be permitted to hire the best-qualified person for the job.

Mr Speaker, again it won't be a surprise to you that the government voted against it, leaving the clear message that the most-qualified person doesn't have to be hired for the job, and that's not acceptable in these times. What we need to compete in the international economic environment are the best-qualified people who do the best work they can.

In fact, time and time again in those public hearings people came forward from the very designated groups this bill was meant, in theory, to assist and said: "We don't need a handout. We need a hand up. We've got the qualifications. We have the abilities. We just want fair access to the job." We say, absolutely, and we agree that when merit is applied, employment equity will be achieved. But the government doesn't believe that.

Laughter.

Mr Murphy: I see the member for Oxford laughing at that concept. I think that laughter is insulting to the people, for example, in my riding who have come from many communities and have got the qualifications. They say: "I have the merit for the job. Give me a chance to have at it." That's appropriate. I hope he doesn't come and laugh at some of the people in my constituency who come and say that.

I'm concerned as well about the incredible regulatory burden aspects this bill is going to impose on employers in this province. In their last ditch of amendments, employers are going to have to do surveys, prepare reports, prepare plans, file certificates and other information on groups, subclasses, subgroups of subclasses, an incredible array of additional paperwork at a time when many employers in this province are saying: "Enough. We're taxed to death. We're papered to death. We want to concentrate on doing well in the economy and getting some jobs created."

There's a way to do this bill in a more efficient way. The government wasn't prepared to listen. It prefers to create an unnecessary and incredible burden, and the worst part is that some of these amendments—I think it's important just to show you now. This is the batch of amendments. There are some 200 amendments in here, and to say that five or six days of clause-by-clause is inappropriate is just not on. This is a complicated bill. The government's amendments add up to 150 or 160 amendments. That's the kind of thing you need time to debate.

Also, they were so hurried in bringing forward these amendments that there were implications in this bill that the government never even thought about. One of them, about seasonal employees and the impact on the farm community, my friend the member for Northumberland will be speaking to. They had no idea of the impact until the member for Northumberland raised it and called the Ontario Federation of Agriculture. They're suddenly shocked by this new initiative that they'd never heard about, never been consulted about. She will speak some about it.

I'd like, while I have the opportunity, to talk about some of the issues that unfortunately, because of the government's incompetence in this, we were unable to discuss, that I would have liked to have discussed. I'm wearing this red ribbon because it's World AIDS Day, as you know. Because of the efforts it's pouring into this, it was unable to assist the Homewood co-op in my riding, which is dedicating 25% of its units to people living with HIV and AIDS. The government wouldn't even consider that application, and this is within days of World AIDS Day. It puts out a document extolling the virtues of its own policies and yet, when it comes down to the crunch, it won't deliver. I think the same is going to be able to be said about this employment equity bill.

I can think too about issues in health care that we won't be able to get to. The Wellesley Hospital in my riding has undertaken a fund-raising campaign, which I hope will be very successful, trying to raise \$30 million to do the things that this government will no longer fund, will no longer assist the Wellesley Hospital to do. There

are some fine programs, neighbourhood outreach programs to the Tamil community, St Jamestown in my community, that this government isn't prepared to assist.

I could think of the impact of employment equity in the real world. I think about Regent Park in my riding, where these people need jobs. Above all else, they need jobs. Nothing in this bill, not a single thing in this bill, will create a job for those people in Regent Park. Not a single thing. I see the member for Durham East sitting across from me. He, I know, when he stays in Toronto, lives in my riding. I'm sure when he goes by Regent Park, he'll know what I mean. What we need in my riding is jobs, and nothing in this bill will do anything for that.

One of the things that will help is some attention to maintenance in the Metropolitan Toronto Housing Authority buildings in the riding. Some of these buildings are coming up to 40 years that they've been around. They need some renewal. There's a great plan by the North Regent Park Residents' Association for a renewal of the Oak Street Resource Centre. I hope this government will consider that kind of thing as a renewal, as providing jobs in the community that this employment equity bill will do nothing about.

The other issues: There's a wonderful opportunity to create a parkland environment in the Don Valley area. There's the Rosedale ravine, which I think needs the protection of all levels of government to ensure that park, that green space in the heart of downtown Toronto, is preserved. I think of the brickworks on the Don Valley. I know the member for York East was touring that area with the Minister of Natural Resources, and I hope the government will do something about creating a park, because the Don River really does need to be brought back. As Mark Wilson from the Bring Back the Don task force says, it needs to be brought back because it could be a thriving part of the downtown community if we can rejuvenate that area. The Ataratiri lands, the lower Don lands: Those need to be rejuvenated too. I hope the government will respond to the call to make the Don River and the Don River Valley part of a rejuvenated downtown core.

I can also think, finally, of the community witness program which I'm hoping to establish. I see the Attorney General here and I hope she'll cooperate, because for Regent Park and St Jamestown, unfortunately, there is a perception of great crime in the area.

Hon Marion Boyd (Attorney General): On a point of order, Mr Speaker: The member is not referring to the matter at question, and I wonder if the Speaker would so direct him.

The Deputy Speaker: Thank you for your help.

Mr Murphy: Absolutely. I appreciate the Attorney General's intervention, because it shows she's listening. I'd like her to listen to this point about a community witness program, because in Regent Park and St Jamestown, which the government argues that employment equity should help, but it won't help a single bit, because there's not a job there—but there's a community where drugs and crime, unfortunately, are extant.

One of the things I'd like to do, with the cooperation of the Attorney General, is bring members of the community into sentencing hearings, with the cooperation of crown attorneys at old city hall, and at the federal level with federal justice, to give evidence before judges so that when criminals who are convicted are brought up for sentencing, the judge is informed that maybe he or she should be a little harsher on those criminals if they're committing those activities in an area that has a particular problem, especially with drug-related activity.

1550

In a period of seven weeks in the Regent Park area in the late summer and early fall, there were seven shootings. That's very upsetting to me, and I hope the Attorney General will participate in helping me help my own community. Employment equity won't help them, but initiatives like that will. Those are the important things people want to hear about. They want to hear about jobs; they want to hear about safety; they want a safe and secure community from which they can participate and they want a job. Employment equity isn't going to do that for them.

What I'd like to see the government do is to help people have a safe and secure community and to help people find a job. I haven't seen either of those from this government to date, and I hope they will assist me in assisting my community to do that from now on.

The Deputy Speaker: The member for Oakville South.

Mr Gary Carr (Oakville South): Thank you, Mr Speaker. I take it there isn't two minutes to talk now, Mr Speaker?

Interjection.

Mr Carr: Okay. I wish I could say I was pleased to enter this debate, but I am not. Like the previous speaker, I wish we were dealing with some of the things the Premier said he would be doing, which is creating jobs.

Today we are debating a motion on the job quota and reverse discrimination bill, which is what it is. For those who don't know what is going to happen in the province of Ontario when this particular piece of legislation passes, I want to read out a copy of Job Mart. This is what I think woke a lot of people up in my riding. I had about a hundred calls after this was in, probably more than any other call I've had on any other issue: the deficit, health care, education, many pressing problems out there. I had more calls on this particular job quota situation.

I want to read what it says and I want you to see how it's written up. It says: "As a positive measure initiative under the Ontario public service employment equity program and consistent with the Ontario Human Rights Code, this competition is limited"—that's what it says—"to the following" categories.

When you say anything is limited, that means there is a quota in place. It goes on, and I'll explain it here. What they're doing basically is reverse discrimination. You're saying certain categories of people need not apply.

It goes on to talk about some of the categories. It defines aboriginal people, it defines francophones, people with disabilities, racial minorities and then women; it just

says "women."

In his most famous speech, Rev Martin Luther King said that one day he had a dream that people would be judged not by the colour of their skin, but by the content of their character. What this bill does, Bill 79, is judge people based on the colour of their skin. I agree with Dr Martin Luther King when he says the big criterion should be the content of the character, not the colour of the skin of the person.

I believe people should be judged solely on ability and experience. Their colour, religion, race or gender should not have anything to do with it, and that's what they're doing.

Mr Perruzza: That's shameful. That's shameful.

Interjection.

The Deputy Speaker: The member for Downsview, order. The member for Sault Ste Marie, order, please.

Mr Perruzza: Women, 52%.

Mr Tony Martin (Sault Ste Marie): Wake up, Gary.

The Deputy Speaker: The member for Downsview, this is the third time. The member for Sault Ste Marie, order, please.

Mr Martin: Look reality in the face.

The Deputy Speaker: Order, please, the member for Sault Ste Marie.

Mr George Mammoliti (Yorkview): He just points to this side. There are other people over here—

The Deputy Speaker: The member for Yorkview, order, please. The member for Oakville South.

Mr Carr: I agree with Dr Martin Luther King, who says we should judge people on character. This bill does not. It discriminates against people, and I believe it's wrong; I believe it's unfair.

I had a hundred calls from people the day after this came in. I had people come into my office: people who came in from racial minorities, women coming in concerned about their children. They said: "This isn't right and this isn't fair. What can we do to stop it?"

I started a petition to kill Bill 79, and I've had more people call me on this than any other piece of legislation. This ad I think really is going to be what is going to happen. We are going to discriminate against people based on characteristics which are defined by some bureaucrat sitting in some office somewhere: what the aboriginal people are, francophones, people with disabilities and racial minorities. This ad says, and I'll read it again to the members who didn't hear, "This competition is limited...."

I say that in the province of Ontario, everybody should have an opportunity for any job. It should not be limited based on anything, whether it's your sex, whether it's gender, whether it's your colour, by any criteria, whether it's religion. Anybody anywhere should apply for any job in this province if they have the qualities.

What this will do is say: "No, you can't compete. You can't compete."

Interjections.

The Deputy Speaker: Order. Take your seat. Take

your seat, please. The member for Oakville South, please take your seat.

Mr Mammoliti: How do we achieve that?

The Deputy Speaker: The member for Yorkview, order, please.

Mr Mammoliti: Don't just criticize; tell us how you are going to do it.

The Deputy Speaker: No interjection, please. If you are not listening, I will ask you to leave.

Mr Carr: Thank you, Mr Speaker. I think in a lot of ways we have come a long way. I look now at the University of Guelph. They tell me that 75% of the people now applying for vets are women. Under this plan, I guess what we do is say: "That's too high. There are too many women applying. We're going to have to lower that quota to 52% now."

Interjection.

Mr Carr: The member says, "Come on." You've got quotas in place, and 75% of the best-qualified people in this province at the University of Guelph taking vet are women. So now what do we do? They're over the quota. They're over the 52%. Do we reverse that and take it back now? Because that, my friends, is what happens when you start with quotas.

In the province of Ontario, approximately 65% of new teachers are women. Do we now say that's too high and we go back? When you start with quotas, what happens when we've got our fill of quotas of women? What happens if a black woman happens to be the most qualified for the job, but the category we need doesn't happen to be that?

So what we do is we set quotas. Basically, what this government is saying is that these people can't compete on their own. I say they can. I say there's no difference between men, women, people of any race: You should be qualified for a job. You should not set quotas that reverse-discriminate against any one class of people in this province. I never thought I'd see the day in the province of Ontario that we would have a government that would introduce legislation that would say to some people, "You can't compete."

Many of us have children. I've got three, two girls and a boy. Basically, what this will say to my girls is: "You couldn't compete on your own. We need to set quotas for you. You're not good enough." That's what it says to them. It also says to my son: "You can't apply for a job. Why? For no other reason than you are a white male." That's the only criterion why he couldn't apply for this job. That's why he couldn't apply for this job, no other criteria. He's being penalized because in the past there probably has been discrimination. He, at 11 years old, is being penalized for no other reason than his sex and his race. That is wrong, it is reverse discrimination, and in the province of Ontario it shouldn't be happening.

This government tries to pass it off as voluntary. They say everything's going to be voluntary. They talk about goals and timetables. We see what the true intention is in this job ad. If this bill goes through, that's what you're going to see in the province of Ontario: ads coming in like this, basically saying, "Only this group can apply."

What happens when we've got quotas? Are we going to then say: "Sorry, the quotas are filled. We've got four categories, but the quotas are filled in that, so you can't compete"? The problem is that some of the groups in here, whether it be women, are going to be withheld from applying for jobs too, because when you set quotas and when you line people up and you say, "We've got to have a certain amount of this group," what it does is it's a recipe for discrimination. It's a recipe for tokenism. It's also a recipe for resentment. It's going to cause a lot of racial division. More importantly, it's fundamental unfairness that somebody is being denied any job in the province of Ontario based on a quota system, and anything that sets that up is discrimination.

The member asked about how we should deal with it. I believe Ontario has some of the toughest laws dealing with discrimination in hiring practices. If they aren't working, and this government says they are not, then toughen them up. The Attorney General is here. If those laws against discrimination in hiring practices aren't working, then toughen them up. Don't turn around and set quotas and say to these people, "Those are the only people who can be hired for these jobs."

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But the toughest anti-discrimination laws and indeed even the toughest quota systems will still not produce people in certain jobs. What you need to do, to the member for Yorkview, is work through the education system. For example, if we need more women as engineers, we should do whatever we can—

The Deputy Speaker: Please address the Chair.

Mr Carr: Yes. Thank you, Mr Speaker. Through you to the member, who I know is listening, what we should do is, through the education system, if there are some things that are creating problems for certain groups, then remove them. You're not going to get more women, for example, studying engineering by setting quotas and hiring a certain amount of people from that group. How you do it is through the education system.

I think the University of Guelph example is typical. If through the education system you allow them the same opportunities, the people from these groups will go just as far as anybody else. In the past that may not have been the case, but all you are doing is breeding resentment out there in the province of Ontario. You're doing it with everybody.

You're saying to the people who are out there and the people from these categories, "You're not good enough to compete on your own." I think they are. I think they can get ahead. They don't need to have quotas, and they don't need to have a situation like this where jobs are being limited by saying these are the only people who can apply.

I read in the Toronto Sun about the cargo-handling company which basically says the qualifications you need, and then it goes on to say the first qualification demanded: "Employment equity targeting females and aboriginal people." So it's already happening in the private sector; we're saying that the only people who can apply are from certain categories. In this ad they've only

listed two of the categories, women and aboriginals. What happens to the other two groups? They are going to be discriminated against in this very ad, and that's what happens when you set up a quota system, because there is always somebody lower down the ladder.

Through the education system I believe some of the wrongs can be righted. Rather than setting hiring quotas, I think it should be done through the education system. Anybody, regardless of their gender, regardless of race, regardless of their religion, should be able to go as far as his or her talent takes them. This bill doesn't do this. This bill sets quotas.

Across the province, some of the concerns have been heard. It will now give preferential treatment to some group of Canadians based on no other reason than that the group has been discriminated against in the past. Probably some of them do have a legitimate case. So now we turn around and say, "To do that, we're now going to reverse-discriminate against another group of individuals and we're going to set quotas." That is not fair.

Many Ontarians want a level playing field. That's all they're asking for, a level playing field, not quotas that are going to discriminate against any people in this province. When we spent some time out on the small business task force talking to small businesses, this obviously came up in some quarters. Most people out there don't realize just what an onerous piece of legislation this is.

The ironic thing is that some of the small businesses out there are saying: "With all the regulations and the restrictions, the best thing we can do for some of these groups"—and I'll list them again: the aboriginal people, the francophones, persons with disabilities, racial minorities and women—"is give them a job. We in the small business sector would love to hire more people." But it's the government regulations and taxation and overburdening that's been done by governments at all levels and, quite frankly, of all political stripes that are strangling small businesses so that they're going out of business and hurting the very people who need the jobs in the province of Ontario.

This Premier stood up before the Legislature came back and said, "We're going to make jobs a priority." There hasn't been one bill dealing with jobs or that is going to create any jobs in this Legislature since we've come back. We do now have debate on a bill like this that is going to say to businesses, "This is who you can hire; this is the category of people you can hire." That is wrong.

When I went and spoke to some of the small businesses out there, they were saying: "We're not going to comply with this, because we are already doing it. We want to hire the best people." In today's competitive environment, when the next day you don't even know if you're going to be around, they want the best people. They are not going to be told by any government, "You've got to line people up, count the people by categories and then hire people by categories."

I said to some of them, "Do you realize this bill gives fairly strong powers and sets up a commission to take a look at it, and if somebody claims there's a problem,

you're going to have bureaucrats sweeping down?"

What they said is, "That's terrific. We now have the Ontario Human Rights Commission that's backed up well over a year; we have the Ontario Municipal Board that's backed up over 18 months; we've got a rent review board that's backed up with over 6,000 cases backlogged, and what does this government do to create more jobs? Sets up another commission that's going to be out there regulating businesses."

For the Premier to stand up and say he's creating jobs and then introduce legislation like this is, quite frankly, disgusting, because the Premier of this province should be creating jobs, not telling people who can be hired, who can't be fired, based on quotas and based on discriminating against any people in this province.

We're going to have some bureaucrat with a clipboard going along and counting people and saying: "You should have a certain percentage of this group. Line your people up and we'll come out and count them and see if you've got the right number, and if you don't, we're going to fine you heavily." I cannot believe in this day and age, when people in the province of Ontario are looking for jobs and economic prosperity, these people have done more to destroy this province than any other government since coming in.

They talk about the jobs that are going to be created. I say to the members opposite, when you came into government, the unemployment rate was 6%. It has almost doubled now. When you came into this Legislature, in your first throne speech, you said you were going to deal with the economy, and all you have done is destroy this economy. Economically, politically and socially, this government has destroyed more jobs in the province of Ontario than any other government, Liberal or Conservative, in the history of this country.

Mr Mills: You should be shot.

Mr Carr: When I went out on a small business task force, I don't think you realize the anger that is out there towards this government. I don't think you realize the anger that is out there. They don't trust any party. They don't trust the Liberals or the Conservatives, but the anger that is out there for you people is unprecedented.

Mr Chris Stockwell (Etobicoke West): On a point of order, Mr Speaker: I think there is give and take in the heckling, but when a member starts suggesting another member should be shot, I think they've crossed the line.

Ms Zanana L. Akande (St Andrew-St Patrick): "Shocked."

Mr Stockwell: I heard him very clearly. I would ask the member to withdraw.

The Deputy Speaker: The member for Oakville South, please continue. I haven't heard it.

Mr Stockwell: I ask you to ask the member to withdraw. I heard it very clearly.

The Deputy Speaker: The member for Oakville South.

Mr Carr: We'll try to keep it a little calmer. I'm sure if the member did say it, he didn't mean it. I know he's actually one of the people who's out on the committee.

I've spent some time in knowing him and maybe sometimes he gets carried away. But I'm sure he didn't mean it if in fact he said it.

But the anger that is out there towards you and this government is unprecedented. They see you destroying it. Day after day I get people saying, "How much longer are we out there before we can have an election?" I say to them, the election won't come too soon for most of the people of this province.

What this bill is going to do is basically set a quota system in place that's going to discriminate against certain people, it's going to be a recipe for discrimination, for tokenism, resentment, and more than anything else, I think, it is probably the most unfair piece of legislation that has ever come onto this floor of the Legislature.

The ironic thing is all these do-gooders in the NDP sitting around with all their philosophy, they were going to help people. More people are unemployed now than when you came into power; 80% of the jobs that have been lost in this country have been in the province of Ontario. You ran up the deficit so that the kids of this province have an accumulated deficit of about \$7,200, and the fact of the matter is you're jobs and nothing in this bill will create jobs for the people in those categories. The people in those categories want jobs; they do not want a bill that's going to say to them, "You can't compete so we're going to have to give you a hand up."

I've talked about some of the issues here today and I want to refer to the situation that happens in cabinet as a bit of an example.

My friends from Beaches-Woodbine and from Scarborough West who are in cabinet are probably two of the best cabinet ministers. I say that because, quite frankly, they're the good of a bad lot so they shouldn't take too much credit with it, because as my friend from Etobicoke West says, "Being the best cabinet minister is sort of like being the best hockey player in Somalia." It really doesn't take too much.

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But those two members, who are very good members, are in there for their talent, and I will use that example. The member for Beaches-Woodbine and the member for Scarborough West aren't in there because of any quota. They would be the first ones to resent the fact that they got put in based on a quota. In the province of Ontario today, we now have cabinet ministers—and, as a matter of fact, the member for Beaches-Woodbine will probably be the next leader of that party—who don't need a hand up in terms of getting a quota and saying, "We've got to have x amount of cabinet ministers in there."

There are some good women in cabinet, those two being some. There are also some bad ones, and I will point out some bad ones, just to be fair: the member for Ottawa Centre, who I think is probably the worst Housing minister and doing more to destroy housing and run up the deficit with her crazy non-profit housing. So there are good cabinet ministers, and I use the example of women, and there are poor ones, as example the member for Ottawa Centre, who has been quite frankly a bad Minister

of Housing.

Mr Mills: On a point of order, Mr Speaker: I do believe that one member should address what we're talking about, and I believe he's wandering.

Mr Stockwell: Holy smokes. You've got to be nice. You were going to shoot them a few minutes ago.

The Deputy Speaker: The member for Etobicoke West.

Mr Carr: What I was—

The Deputy Speaker: Just a minute, please. If you were to address the Chair and look at the Chair, you wouldn't have as much reaction from the opposition. Just look at the Chair. Address the Chair. It will be simpler.

Mr Carr: Thank you very much, Mr Speaker. I will do that. As a new member, I sometimes forget who we are addressing.

My point is that you've got within cabinet, I think, a lot of people who would resent anybody who said to the member for Beaches-Woodbine or Scarborough West, "The only reason you're in there is because we needed a quota," I say to one of the other reasonably good cabinet ministers, from London Centre, who I think is doing a good job. She would resent it, I think, if she thought she was in there based on a quota.

For my friend who didn't get the drift, what I'm saying is you do not need to set quotas to have people in good positions. Good people will rise to the top regardless of whatever their religion, their race, their gender, and we do not need to set quotas in the province of Ontario and tell businesses who they can and cannot hire.

The point that I'm making with this is—

Hon Evelyn Gigantes (Minister of Housing): We set quotas for enumerators in our party and it works.

Mr Stockwell: You're a living example it doesn't work.

The Deputy Speaker: The member for Ottawa Centre. The member for Etobicoke West. The member for Oakville South has the floor. If you want to rebut, you'll have a chance to do so after he is through. So I would ask you to please refrain from interjecting.

Mr Perruzza: He's inciting us.

The Deputy Speaker: Please, the member for Downsview, you should know better. The member for Oakville South.

Mr Carr: The point I'm making is that when you set up quotas like this, you could inadvertently hurt a lot of people, and if you don't use a merit system, supposing we have a better-qualified black woman, for example, who doesn't get a job because we just don't happen to need the numbers in that particular category and somebody else gets the job. When you go down the slippery slope of setting up quotas, what happens is you could penalize the very people you're trying to help.

The fact of the matter, Mr Speaker, is the people are angry. I told you earlier that I had over 100 calls that day. That's why I set out and put a petition in place which says, and I'll read what the people of the province are saying:

"This government should not interfere in business; and

"Whereas any person applying for a job should be judged solely on his or her ability and experience; and

"Whereas their colour, religion, race, gender or other such characteristics should not enter the equation; and

"Whereas Bill 79 will establish a quota system by hiring by race, colour, sex or physical characteristics; and

"Whereas employers should be allowed to hire and required to judge each person as a person and hire them on merit," they call for the withdrawal of Bill 79.

Anybody who is interested in signing that petition over the province of Ontario would be interested in calling my office in Oakville at 842-5592. Please call us and we will attempt to—

Interjection.

Mr Carr: Yes, that's for sure, the member for St Catharines, because I believe the people of this province are angry. The people who came in and are signing this petition are the people from the very category. I've had women coming in and saying, "I have children, both male and female, and I don't want to have any of my kids discriminated against."

I believe, like Dr Martin Luther King, that we should judge people not by the colour of their skin but by the content of their character. In that famous speech that he made over 20 years ago, what he was saying was that people should not be looking at any particular person based on any characteristic other than their character, and I agree with him. It's a sad day that after all this time, we have now got to a situation where we're reversing our discrimination against any people.

If you thought I was controversial, the member for Etobicoke West wants to speak, as does the member for Wellington, so I will cut down my time a little bit. To sum up what I've been saying, this is a bad piece of legislation.

I will, for the people out there watching, let you know. Most of this has been set up through regulations. I hope that the next government that takes over—because I don't think there's anybody in his right mind who believes this government will win the next election—that whatever government takes over, whether it be Liberal or Conservative in the province of Ontario, will have the courage to get rid of a piece of legislation that discriminates and is unfair like this piece of legislation.

If I were to sum it up, this particular piece of legislation is a recipe for discrimination, for tokenism, for resentment, for racial division and fundamental unfairness. It's wrong. I'm going to vote against it, and I'm going to continue in this Legislature to work to uphold what Dr Martin Luther King said, that we judge people by their character, not by any characteristics.

Hopefully, as we go on, his memory will live on and the legislators in this province will indeed judge people, not on a quota system but will be fair and judge people based on their character and their merit. That day is when we'll have fairness in the province of Ontario.

Ms Akande: I rise today in the House to support the motion. We have in fact consulted with the people of

Ontario. We have held many, many sessions throughout Ontario to hear what people wanted, to hear about their concerns. It's characteristic of our way of consulting that we spoke to all the people.

We spoke to people who were privileged enough to enjoy the comforts of their life. Without question, generally speaking they were white male.

We spoke to women who, though very qualified, many of them very experienced, having all kinds of educational degrees, were not able to achieve the level in their profession or their occupation that they aspired to and that they desired because there was a ceiling there, sometimes not too invisible.

We spoke to visible minorities, because we know that Canada has many people who are visible minorities, who live here and who were born here, as I was, and who have educated themselves and prepared themselves to take their place and to contribute to this province and to Canada. We spoke to them too.

We spoke to people who have disabilities, who are bright—in fact, we should be focusing on their abilities rather than their disabilities—people who could contribute things to this province and to this country that you and I might not even have dreamed of. Those people told us: "We are here with our gifts. We are desirous of being involved. We want to stand neck and neck with everyone else. We want to compete. We don't want anything given to us. We only ask that you move from behind the door so that when we push it open, it does open."

We have waited a long time for the door to be opened. We have waited many years. It doesn't take a great deal of visual acuity to recognize that I am no longer a child, and my parents, who were here many years before—my father actually came from Barbados. He was a superintendent of schools and wasn't able to teach in this province because they told him they had never had a black teacher. That was the reality of his life and he pushed on.

1620

There have been generations who have waited and finally it has taken this government at this time the courage and the determination to bring us all to the table; not a quota system, not something that puts me in a privileged position, but something that says we recognize what Canada looks like, we recognize that Canada is its people. Its people are women, its people are men, its people are black and white and every colour in between, and some of its people have disabilities, but all of those people have a right to contribute and to have access to those jobs that are there.

The member opposite talks about the fact that this government should be focusing on jobs, and so we have. Jobs Ontario is all about jobs. It's interesting that this suggestion should come from him, from a party that has in fact moved towards economic decisions which have removed jobs from this country and promised training and never given it to us. But he mentions it nevertheless, so we must believe, generously of course, that he is sincere. He says that we must look for jobs and that we should be providing jobs, and we have. But why is that

an argument against this motion? Jobs are not in opposition to equity. Jobs should move hand in hand, step by step along with equity.

This summer and last I was responsible for the Jobs Ontario Youth program. We did something that seems to have been unique in that program: We had equity and access goals; no quotas. We said all youth will come to the door and all youth, as long as we have jobs, will be employed—black, white—and we said only those employers who will hire youth who are qualified from all of those groups, those who have disabilities, women, whatever, will be able to achieve and take advantage of the program. That's equity. We were able to employ over 1,000 more than the target of 10,000 jobs and we will continue to do so, because if this province is focused on providing jobs for its citizens, surely it must mean all of its citizens.

Sometimes when I sit in this House I wonder if hope and belief in this country have been relegated only to those who do not have the fruits of their labour, those who for years have been discriminated against, those who have had to have hope in order to go on. I have come to this place at this time to register my vote to put this legislation in place so that all God's children—another quote from Martin Luther King—can come to the table and say: "Yes, I have an opportunity. Yes, I have prepared myself. I am educated, I am trained, I am willing to learn. I have an opportunity. Yes, I will compete with the person next to me, be he male or white or whatever. But I have an opportunity."

The time is now. Some have said that we waited too long, in fact that we have stayed too long at the fair, that the time is now. The time is now and I register my vote as yes, the time is now.

Mrs Joan M. Fawcett (Northumberland): It is really with mixed feelings that I rise today to speak on yet another closure motion by this government, motion 20. I guess it's with some pleasure and with some displeasure that I am speaking.

The pleasure comes in knowing that hopefully I can put forward the agrifood industry's remarks and thoughts on this very important bill, employment equity, and how it affects the use of seasonal workers in farming and the processing communities. I'm very happy that just by chance the minister is here this afternoon. I wish he had been here earlier—maybe I might have asked him a question—but possibly he would give me his thoughts afterwards.

The displeasure comes, though, in knowing that the agrifood industry was not consulted or considered in this legislation. The member for St Andrew-St Patrick, in her remarks, just got finished saying that everyone was consulted. I can tell her that a great segment out there, the agrifood industry, was not consulted. They had no knowledge of this bill until I brought it to their attention. Yet the NDP government is invoking closure on a bill that really could have major ramifications on this important sector of our economy.

However, nobody seems to be surprised by this government's action, for it freely invoked closure on a great number of bills, since it is so self-servingly, it

seems, in business to change the rules to suit its own measures. We know that back in, I believe it was, June 1992, they changed the rules of the House, and it seems to have been coincidentally with this bill receiving first reading. It's now becoming so commonplace that they just say, "Well, it's our way or the highway."

Surely they must realize that every member of the Legislature was elected to represent their riding's views. If anybody should know, the NDP government should know that debates offer the public an opportunity to better understand and be informed about legislation that will directly affect it. This understanding can sometimes lead to affect parties in bringing forward ideas that perhaps the government hadn't even considered.

I know that earlier the government House leader said that we in the opposition hold up legislation, that they haven't passed as many bills as they wanted to. In fact, I believe the member for Kitchener-Wilmot, in the resources committee yesterday or the day before, mentioned the same thing, that we were being obstructionist and that they would pass only 15 bills this session, and that previous governments would pass 30 in a session.

I really would ask that you don't blame us for your inability to put forward and draft proper legislation. It really is not our fault that your bills need 200 to 300 amendments sometimes. I'm sure the member for Halton Centre would really concur with that statement. In fact, this very bill that we're talking about, or will be talking about, I understand has 200 amendments. It takes time to go through all of those. Really, if legislation were properly drafted, possibly there would not have to be so many changes.

It's been a year and a half since the NDP changed the rules, and it's been a year and a half since it introduced this bill. Throughout and through all of this time they haven't allowed a full debate on employment equity, and now, to get their quota of bills passed, they use their new rules once again to invoke closure. It sort of, in some ways, reminds me a lot of the previous federal Tory government, which constantly used closure. Perhaps it's how the third party here can justify voting in favour of the rule changes, as I recall, last time. It seems that closure is becoming a way of life at Queen's Park.

1630

If I could go back to this summer when the employment equity bill was before the standing committee on administration of justice, at the end of the summer I was subbed in on the justice committee. The hearings were over and we were into clause-by-clause. There was discussion around the definition of "employee" in subsection 3(1). In the copy of the bill which I know anybody in the public can ask for and which I'm sure most people, if they were interested in the bill, would have carefully gone over, it says:

"'Employee' means an employee as determined in accordance with the common law and includes an individual who is primarily working for an employer on a commission basis and such others as are designated in the regulations."

When I happened to be in the committee on September

7, 8 and 9, I found out that, my goodness, this meaning had been changed by the government. It now included seasonal workers. Anybody who got a copy of the bill really would not know that. So I was very upset, because it suddenly occurred to me that the agricultural industry and any packing plants or possibly any processing plants certainly use seasonal workers. I know that when I called the OFA office, they didn't know anything about this bill. They didn't know that it would affect them. In fact, they were very disturbed.

With the help of the member for St George-St David, I drafted an amendment that would exclude seasonal workers so that they would not be included in the employment equity bill. Unfortunately, the government members all voted against it and it did not go forward, so right now seasonal workers are included. I really believe that perhaps the government does not realize what this can mean for farmers and processing plants and packing plants.

We know that agriculture is the only industry that employs offshore workers. The offshore workers arrive here from the host country and are sent by the host country. Usually, the farmer has not complete say, or very little say, in who is sent. So I really believe this was a place in the bill that should have received some consideration and some change. I know the agricultural business needs committed employees, especially at harvest time, because often the crops cannot wait. They have to be dealt with at a certain time in order that the crops aren't lost. This is why they contract to have seasonal workers come from offshore, so the job can get done.

When I asked the parliamentary assistant about this, he really didn't know just exactly how to address this. I asked him whether or not anything would be done. I was told that it would be addressed in the regulations. Okay, at least it's going to be addressed, although at first he said there was one section of the bill—I believe it's section 50—where farmers or anyone can apply to the Lieutenant Governor in Council and maybe get an exemption. But here again, we're not talking about a company that has a president, where this one person can just make application to exempt everybody. Here we are talking in some ways about individual farmers, farmers who are very, very busy and who perhaps don't even know that they must apply or can apply for an exemption.

I was not satisfied, certainly, with that section of the bill covering them off. I really did not feel that would be satisfactory to the farm community out there. I felt at the time that the parliamentary assistant who was carrying the bill did not really have a solid knowledge of what happens in rural Ontario and in fact in the agricultural industry.

He said, "Well, the association could look after it." That would be fine, but the main body, the OFA, as yet does not represent every farmer. Right now, I believe they represent 20,000 farmers, but again, they may not represent all of the farmers who would be affected by this bill. So I did not feel that was a reasonable solution to the problem.

I was again assured that the regulations would look after this. I believe it was approximately a month ago that I spoke to the minister and to the parliamentary assistant to ask whether or not these regulations were in fact prepared yet. They both said they were being worked on and they were not ready yet. So I asked if I could have a copy of those regulations just as soon as they were ready. They assured me, or at least the parliamentary assistant assured me, that I would get a copy. That has not happened yet, so I guess I am to take this giant leap of faith that they're going to be there. Because of the fact that we are debating a closure motion that will see this bill hurried through, without the assurances I really am concerned.

I know that I spoke recently to farmers down in Essex South. That's the area that's about to elect Bruce Crozier. He will be joining us and we will be very, very happy to welcome him here. Farmers there were very concerned. They really were not assured at all that this employment equity bill would really be solved and that they would in fact be exempt.

Certainly last week, I was at a meeting of the Durham-Northumberland apple growers, and the guest speaker, Mr Ken Wilson, a horticultural crop adviser from Clarksburg, was telling us that in the Georgian Bay area there are over 800 seasonal workers in the apple industry. Without the exemption to the employment equity bill, they're very, very concerned about how this is going to affect them.

The Premier, I believe, spoke last night at Vision 2020. He talked about building partnerships in the agrifood industry and about consultation and cooperation. In fact, I know that the minister in his address to the OFA and last night also speaks about that.

I've always found the minister to really try very, very hard to consult, but I'm just wondering what happened here. Was there a breakdown in communication? Why didn't the Ministry of Agriculture and Food know that this would affect agriculture? Why didn't he really make sure that this bill adequately put to rest the concerns of the farmers?

1640

I'm not very happy and am certainly very displeased that we have to have closure on this very important bill before we get some of these concerns straightened out. I believe that maybe one of my other colleagues would like to speak, so I'll leave him the rest of the time.

Mr Ted Arnott (Wellington): I'm pleased to have the opportunity to rise to speak to the issue of closure, the closure motion that's been brought forward this afternoon to end the committee deliberations on Bill 79.

We've heard some interesting speeches this afternoon. I'm pleased to follow the member for Northumberland. I think she gave a very good account of how this bill may impact on farm families, farm communities, and as a representative of a rural area that concerns me as well.

I know without a doubt that the people in Wellington county, the majority of them, do not support this bill. I have surveyed them through a survey that was sent out in the summer of this year. I asked a question and I used the

government's terminology. I'd like to read the question that I asked just so that all members of the House are aware of the fairness of the question. We certainly took a great effort to make sure the question was fair. I indicated what the background of the issue was and I wrote:

"The provincial government has introduced employment equity legislation, Bill 79, which would require employers to hire new employees from four equity groups to reflect the proportion of these groups in the community. The designated groups are aboriginal people, people with disabilities, members of racial minorities and women.

"Supporters of employment equity believe that these groups have traditionally been overlooked by employers because of discriminatory hiring practices. Employment equity is a way of correcting past and present injustices and of giving certain excluded groups a chance to develop experience in the workplace."

I think that's a fairly accurate characterization of the government's arguments in favour of this bill. I said:

"Opponents of this bill say that it will create job quotas and that hiring should be based on ability. They argue that employment equity is reverse discrimination in that businesses will have the added expense of formulating equity plans and that hiring according to prescribed equity criteria is stigmatizing and insulting. The real winners, they argue, will be the consultants who profit from developing employment equity plans for businesses."

I asked the question, "Do you agree with the government's position on employment equity?" I believe 73% said no. The people of Wellington county see this bill for what it is; it's not employment equity.

I must say that in my own view of the world I see that we must have fair hiring practices in Ontario. To the extent that we can enforce that, we should do so. Hiring should be based on merit and qualifications first and foremost, and in every case those should be applied. I support fair hiring practices with the best-qualified candidate for a job, as judged by the employer, receiving the job. No one should ever, ever be denied a job opportunity because of discrimination stemming from their gender or their skin colour. I think most members of this House agree with that. I hope that all members do and I believe that in fact they do.

Where we have a difference of opinion, a strong and profound and deep emotional difference of opinion, is where we see the government coming forward and, I must say, bringing in and enforcing a system of quotas which will force employers to hire a certain number of people. What the government is intending to do is categorize people according to race, according to gender, and suggesting that employers must hire on those criteria. I find that offensive. It's wrong. The people of Wellington county believe that approach is absolutely wrong. It's wrong and we must speak against this.

I don't want to speak at great length because I know my colleague the member for Etobicoke West wants to have an opportunity to speak. But I want to keep my own

emotional view on this in check because I find this bill to be very, very offensive, and it's wrong.

I was pleased to see an article by the Leader of the Opposition, the member for Thunder Bay, which appeared in the Thunder Bay Chronicle-Journal recently. She was writing an article on the issue of this bill. I'd like to quote something she wrote. She said:

"I'm concerned when some react in frustration to the slow pace of progress and propose quotas as an answer. I share their impatience, but I do not share their solution. Quotas do not advance the principle of equality; they violate it. Quotas carry an implicit assumption that women are unable to compete on the basis of their skills and experience."

I'm sure we could continue that line of reasoning to include categorizing people according to race, according to their relative disability and so on.

"I categorically reject that assumption. Women do not need guaranteed access; they need open access."

Again, I think the Leader of the Opposition is right on when she says this. When I saw that I was pleased, but I also remembered an article which had appeared in the Kitchener-Waterloo Record on August 7, 1992.

I'm sure all members of the House will recall a very controversial issue which came forward around that time. The city of Kitchener had a hiring policy for its fire department. What the hiring policy said was that white men applying to become firefighters had to score at least 85% on a test before proceeding in the selection process. Women and visible minorities, meanwhile, needed only 70%. Once again, 85% for white men, 70% for women and visible minorities. The city of Kitchener argued that it was a good policy and a policy it should enter into.

In my understanding of this, I think there's an implicit assumption that you have to have a lower standard for women and visible minorities or they will not be able to compete head to head. I think that's very clear. Why else would you need two different standards, one higher standard for white males and a lower standard for women? That says without a doubt that the city of Kitchener feels that's the policy it should undergo.

But at that time the Leader of the Opposition indicated that she supported that policy. I have that article here. If I'm assuming that she was quoted correctly, she indicated she supported that policy. I hope she has reviewed that particular position in light of what this government is doing today.

This government promised so-called employment equity in its Agenda for People. Of course, many of the promises they made in the election of 1990 they have since rejected.

Interjection.

Mr Arnott: No, I'm not saying that. I'm saying this is your promise as you said in 1990. "New Democrats believe that everyone has a right to fair employment opportunities, without discrimination on the basis of race, sex, or disability." I agree with that position that they've articulated. "Everyone has a right to fair employment opportunities, without discrimination on the basis of race, sex, or disability."

Now we get to the infamous Job Mart article that appeared in the publication that goes out which includes public service opportunities. These are government jobs. A senior management position on the front page of this Job Mart—I'm quoting from the Job Mart of November 5—says, "Director, information technology services branch." This was the job, a fairly senior public service job. It says here:

"(Restricted)

"As a positive measure initiative under the Ontario public service employment equity program and consistent with the Ontario Human Rights Code, this competition is limited to the following employment equity designated groups: aboriginal peoples, francophones, persons with disabilities, racial minorities and women."

In other words, white males need not apply, and if white males apply, their résumés will be chucked in the garbage, I assume. This is reverse discrimination, without a doubt. This is an example of reverse discrimination; no one can dispute it.

The government House leader, when this information was presented to him by the media, indicated that yes, this was the appropriate policy and this was reflective of the government's policy and it was the right thing to do. Of course, when the Premier realized that in fact the media had finally realized and it was getting out into Ontario what exactly this so-called employment equity bill meant, he said, "We'll pull the ad."

They have not pulled the policy. This so-called employment equity bill, which is in fact a jobs quota bill, this is exactly what it means. This Job Mart article, in this specific instance, is reverse discrimination; it's undisputable. This is what's going to happen. If this bill is allowed to pass, we're going to see this happen more and more. We're going to be able to point to specific instances where the government is sanctioning reverse discrimination.

Again, I must say the people of Wellington do not support reverse discrimination. They support fair hiring practices where everyone should have an equal opportunity to have a job. A job opportunity should be open to all who qualify and who wish to apply.

1650

I suppose I'm pretty well near the end of my argument on this bill. We must remember that this is a closure bill which is shutting down debate on this bill such that we can't properly debate this.

We've already seen the government employ closure routinely now. They feel they've got 18 months to go and they want to ram as much socialism down our throats as they possibly can. They'll endeavour to do that, I know, over the next 18 months and that concerns me greatly.

I must restate that this bill is not employment equity. It's reverse discrimination in many specific circumstances. We're going to see that, as I'm quite confident the government will use its hammer. It'll come down and this bill will become law before we go home for Christmas. We will see specific instances where reverse discrimination is being sanctioned by this government, and this is wrong.

Mr Sutherland: I'm pleased to participate in this debate. First of all, I want to deal with the issue that there has not been adequate time to debate this.

The Minister of Citizenship, the Honourable Elaine Ziemba, took a very consultative process, a very inclusive process. She had a working committee, an advisory committee made up of business, labour, equity groups etc to help develop a piece of legislation. The minister has done an excellent job of going around the province discussing it. The Employment Equity Commissioner has done the same thing. There's been a lot of discussion over the last two and a half to three years out in the public about employment equity.

With regard to the specifics of the legislation, I just want to remind everybody that there was a little over eight hours of debate at second reading, and just in terms of public hearings and clause-by-clause—the opposition has said there hasn't been much time—there were 92 hours at committee on public hearings and clause-by-clause debate. Now, 92 hours is not a short period of time. That is very extensive debate.

I want to say that I think we do need to move forward on the issue of employment equity. I want to talk about a few issues that I've heard raised over the period of the debate.

The opposition has cited the ad in Job Mart. What an outrage over that ad. I think we all heard it. But I found it very interesting that the article in one of the local papers that precipitated this outrage only told some of the story. They never said that in that management position, over the last year 60% of the hirings had been white males. They left out that information. When you put that in the context of this ad being placed, then I think you see: "Well, wait minute. Lots of white males are being hired. There isn't reverse discrimination going on."

Interjection: Only 38% of the population.

Mr Sutherland: Yes, and they only make up 40% of the population, yet 60% of the hirings in the last year. Let's tell the whole story here. Let's not tell some of it; let's tell the whole story.

The positive measures were only going to be used for approximately 1% of all hirings. The way you hear the opposition talk, you'd think it was going to be for 100% of the hirings. That's not the case. We need to get all the facts on the table in terms of having a healthy debate.

Of course, the third party, when they were in government, ruled for 42 years in a period, we know they may want to tell us, of wonderful management, and try to leave the impression that maybe there was no discrimination going on. We know that back in those days for certain hirings with certain types of public institutions, if you weren't a member of the Orange lodge or you didn't belong to a certain group, then you couldn't get hired. That's what went on.

While in many ways we have a positive history of tolerance, we do have examples in our past that still continue today, not those ones I mentioned but other examples that still continue today to impede equity.

During the hearings, one of the groups that came forward—and I wasn't at the actual hearings when they

came forward and made their presentation, but the Ontario Restaurant Association was quoted from the hearings as saying that merit should be the determining factor, that merit must be part of this bill, and we've heard this argument from the opposition.

If merit was the principle, there wouldn't be a need for this legislation, but we know that's not the case. I want to tell you that I was very surprised when I heard this from the restaurant association, because from my personal opinion, I don't think they're going into their members' restaurants.

If any of the other members, or yourself, Mr Speaker, have gone into some of the roadhouse type places like Kelsey's, Casey's, those types of places, look around them next time you go in and tell me whether you've got a diverse workforce. Tell me whether all the community is represented.

I would suggest that not only on some of the factors here—I would suggest that some of those places may even use other features for determining. I must say that I don't see too many people working in those types of restaurants who may be a bit overweight etc. I know from people who have worked there, who have gone through some of the interviews, who have indicated to me that merit is not the number one principle in many cases used for determining hiring. That's the reality of the situation.

We may want to assume that merit is, but when we encourage people who are out of work to go and look for jobs, how do we encourage people? What do we say? "Use all your contacts. Use all your networks." Many people get their jobs through contacts and networks they have. That doesn't mean they're hiring the best person; it means they knew someone. They were able to get in and they were able to get the job. Is the merit principle applying in those cases? We know the vast majority of people get employed that way.

If you don't advertise for a job and you go through that process, then you're not going to get the best person either, because your applicant pool is very limited. We're talking about developing and going forward with a piece of legislation that will allow a broader applicant pool, which in my view is only going to help business people because they're going to get better applicants. They're going to get better applicants from all groups.

One of the other issues that I hear from people in my riding sometimes is regarding police forces and the fact that white males can't get hired by police forces. Mr Speaker, I want to tell you and everyone here that's simply not the case. The statistics show that in the first six months of having the employment equity requirements in place approximately 38% hired on to municipal forces were white males. In the OPP, it was about 35%.

I happened to be out on the local golf course in the summer and I ran into two people who asked me to go golfing with them. I found out they're from the Aylmer police college. They were two white males, they had just recently been hired and they were going through the course with the OPP. Of course I told them, "Gee, I hear from a lot of people that white males can't get hired by the OPP." They told me: "Well, that's not the case. We have been." But they also said they had 6,500 applica-

tions for 250 spots. We need to understand that there are a lot of people applying. Some white males aren't going to get hired. I'm sure a lot of people from the designated groups aren't getting hired for those either.

I think it is clear that the arguments, the myths that are out there around employment equity, this kind of false outrage that the opposition put forward over this one particular ad—when we look at the whole story, when we present the whole information, we understand, we see and the people see very clearly that the types of things you put forward, the merit argument and the other argument, don't hold a lot of water in the actual practices that are taking place.

All of us wish we didn't need to do employment equity, but the reality of the situation is that there are other ways, there are methods out there that are being used so that the people from the designated groups are not being hired.

Two and a half years of consultation, eight hours in second reading, 92 hours in committee: We need to move forward on this piece of legislation. Let's get on with it.

Mr James J. Bradley (St Catharines): I regret that I have only a small amount of time, because of the time allocation, to speak on this legislation, but I want to indicate how disappointed I am that, first of all, we have the fifth closure motion in the past two weeks before this House, because we spend more of our time now debating closure motions than we do actual legislation. That's most unfortunate, because I think there is a lot of information that can be provided to the public on both sides of issues if we have sufficient time to debate.

The government House leader has talked about lengthy debates that take place over legislation introduced by the NDP government. One of the very legitimate reasons for this is that much of the legislation the NDP has introduced is clearly outside of the mainstream of public opinion in the province. It's still the government's right to introduce it, but I think it means there has to be much more careful and perhaps prolonged discussion of those measures for the government to justify them or the opposition to prove that in fact they are not beneficial to the province.

1700

By rushing this bill through the Legislature, the public will not be fully informed of all of the issues that there are to be canvassed by various members. I think it's very helpful when the member for Oxford gets up or the member for Wellington gets up and talks about different views on this, because it tends to provide the information the public needs to make its particular decision.

I am concerned about this legislation because I think this legislation is in fact going off the tracks. I'm worried that the good intention that's behind employment equity is being lost by the implementation, through the ad to which I'll make some reference, through some of the provisions of this bill and through the rejection of some of the amendments that have been put forward by the opposition.

This of course is going to give fuel to those who want to use this kind of issue for political purposes, and that is

very disconcerting. I think the overwhelming majority of people in this province oppose discrimination. Many of us who have sat in this House for a number of years have spent our lives fighting discrimination of various kinds, whether it's gender, whether it's race, whether it's religion, whether it's against those with disabilities. For this reason, I believe that we have to do things of a positive nature, that we have to encourage those of groups that have been denied the opportunity in the past to come into the public service and go into the private sector. So active recruitment is reasonable and encouragement is reasonable.

Where we are starting to see the opposition form among the general public is when we say things such as the ad that was provided. The ad was in Job Mart, which is a government publication, and said the following:

"As a positive measure initiative under the Ontario public service employment equity program and consistent with the Ontario Human Rights Code, this competition is limited to the following employment equity designated groups: aboriginal peoples, francophones, persons with disabilities, racial minorities and women. To be eligible, indicate on your application or résumé the group to which you belong."

This is not well received in the general community because the general community wants everybody to have access, wants to see discrimination stamped out in our society, but the general population, fairminded people, does not want to see one specific group of individuals excluded from the opportunity to apply for employment positions.

Some of my colleagues on the committee have put forward, I think, some reasonable amendments which have been defeated by the government. One amendment says that the employer should be allowed to hire the best-qualified person. There are many people of all categories that are mentioned by government who are very well qualified, who have done well in the public service and in the private sector. We're seeing more and more of those people involved in our society in employment positions in a way that wasn't the case in the past, and that is very positive to see. But I believe the employer should always have that right to hire the best-qualified person, and we're going to find that's going to represent a good cross-section of the population.

Second, we moved an amendment in the Liberal Party to prevent exclusion of any group or individual from consideration. That was a very positive amendment which was defeated.

I understand the legislation allows the government, if nothing else works, to be unfettered in its power to impose quotas. I think that would be undesirable.

There have been a few people who have made arguments about this that are rather interesting. I don't have the time to go into the details, but Alan Borovoy is a person who has fought for civil rights over the years. I haven't always agreed with him; I've always respected the fact that he even took positions with which I would find myself in disagreement and he was a consistent individual. That's why he's managed probably to annoy most people in this province, because of his consistency,

no matter what the position has been. He's argued cases that would be clearly in his own mind, to his own thoughts, certainly not very pleasant, but he's argued those in terms of civil rights.

A second is Stephen Lewis. I could quote from this. I don't want to quote, because I think it's unfair to Mr Lewis for me to simply quote one or two sections and not everything he had to say. But Stephen Lewis did express, through an article in the Star by John Deverell, his concern that the kind of ad that we saw was not the route to go. As I say, I could quote a few paragraphs, but I would want to quote the whole thing.

Also, Tom Walkom summed this up very well in his column, and I'm going to read this column because it deals with the act. It says: "Management Board Chair Brian Charlton told the Legislature then that the program would not 'in any way restrict jobs in the public service to designated groups.' That is, white, able-bodied males would not be barred from applying for work."

"Charlton was either wrong or deliberately disingenuous. Last week, the government published a job ad for an information technologies director. The ad did just what Charlton had said it would not do: It told white, able-bodied males they need not apply."

"This week, Charlton defended restricted access hiring. He said it would be used for an unspecified but small number of senior civil service jobs. He agreed that the government is actively discriminating against a specific group but said this is necessary to correct historic injustices. In this, Charlton and the government are very wrong. They are wrong in principle, wrong in practice."

Mr Walkom goes on to mention many reasons why he believes this to be wrong, and I don't have the time this afternoon to make those arguments.

I simply caution the government today that if it wants to engender goodwill—and this is never easy legislation to pass. That's admittedly so; it's very difficult legislation to pass. But if you're going to have this kind of promotion of people who in the past have not had those opportunities, if you're encouraging those opportunities today, you can't come forward with ads of this kind. You can't give an indication that there are going to be formal or informal quotas, and you must give a fair opportunity for everyone in this province, regardless of background, regardless of the way they look, sound or talk, an equal opportunity. I think the public would support that, but certainly not what we refer to as discrimination in reverse.

The Acting Speaker (Ms Margaret H. Harrington): The member's time has expired. Further debate?

Mr Stockwell: I don't relish the opportunity of debating another closure motion, because I think we've had far too many in far too brief a period of time. It concerns me that a government that changed the rules a short time ago to facilitate more legislation being passed in this place would move closure to such a large degree as they have in the past few weeks. They've limited the amount of time we as members can debate an issue. They've strictly eliminated the opportunity to speak to a series of issues.

Hon Mr Cooke: Nothing like what happens in Britain and in Ottawa.

Mr Stockwell: I hear the Education minister heckling about "Nothing like what happens elsewhere." But, you know, when they were in opposition, they took full advantage of those particular opportunities to speak against certain pieces of legislation. You only have to remind them of one issue, and that was Mr Kormos's 17 hours spent on auto insurance.

Hon Mr Cooke: Once.

Mr Stockwell: Once. The member makes it sound like once they got up and spoke for more than half an hour about something. That's all we can do is speak half an hour on an issue. I've been through Hansard a number of times. Members opposite, in opposition, would speak for a number of hours on issues—one, two, three, four hours on subjects that they didn't particularly agree with—because they wanted to deal with a lot of issues that some legislation dealt with, and I thought it was a reasonable thing to do.

We in this party voted for the rule changes because we said, "If you promise not to be draconian, that you're not going to bring in closure motions," and we were given that undertaking. Yet here we are in a two-week period with more closure motions than some entire legislatures have had to deal with. It's just completely irrational of this government to start charging the opposition with holding up legislation when it's moving closure motions and limiting debate.

Hon Mr Cooke: You're going to talk about being irrational.

Mr Stockwell: Let's talk rational about this opposition party, when they were in opposition. Let's talk about the teachers' strike where they legislated them back to work. They wanted unanimous consent. Just yesterday you wanted unanimous consent for the Parry Sound teachers. When was the last time you agreed to or gave unanimous consent in opposition to force people to go back to work? I ask him. Give me an example.

Hon Mr Cooke: Every time.

Mr Stockwell: Every time. They forced workers to go back. They broke strikes every time when they were in opposition; so says the Minister of Education and Training. It is just unbelievable that he even has the nerve to say that.

1710

Hon Mr Cooke: Chris, you're bonkers. You don't know what you're talking about.

Mr Stockwell: Then, I ask about the member for St Catharines, who spoke about that exact issue yesterday: Maybe you should have challenged him when he said, "You weren't the easiest opposition party to get along with regarding strike-breaking legislation." Now I've got the Minister of Education telling me they supported, every time, unanimous consent to break strikes. So now we've got not only a change across the floor, they're trying to rewrite history too.

• What we have is a definition problem here, the definition of—what's their term for it?—numerical goals. You see, this government wants to call them numerical goals.

They think, by calling them numerical goals, it changes what numerical goals mean.

Hon Mr Cooke: We're not debating the legislation.

Mr Stockwell: I'm debating the legislation.

Hon Mr Cooke: We're on the time allocation.

Mr Stockwell: Numerical goals seem to change their point of view or they're thinking that they're changing the perspective of the people out there who begin to read this legislation. It's a definition problem, you see. Why they call them numerical goals is they don't want people to call them quotas, because quotas are something that very few people would agree with. So rather than calling them quotas, we'll call them numerical goals.

Let's discover what "numerical goal" means.

Mr Bradley: What does strike-breaking mean?

Mr Stockwell: Different things to different people, clearly. Numerical goals mean this: If your business is in a certain area of this province, then you must have a certain makeup in your workforce that reflects the community your business is in. If there are so many women, if there are so many visible minorities, if there are so many disabled, you must have that workforce working as a percentage in your place of employment.

What it comes down to is this: They're asking companies to take a total review of their employees, asking questions like: Are you disabled? Are you a woman? Are you a visible minority? Are you an aboriginal person? That's what they ask the employers to do. Then they ask the employers to compile in some instances, according to the committee, a 600- or 700-page report. That report is then shortened up to a certificate form and sent to ministry officials.

What you have to do as an employer when you've accomplished this goal is then ensure in a timetable of a period of years that your workforce in your business is proportionately the same as the makeup of your community.

Mr Randy R. Hope (Chatham-Kent): This guy's irrational.

Mr Stockwell: If I'm irrational, it's your legislation. That's what the legislation says. So if 52% of the people who live in your community are women, 52% of the people who work at your business must be women; if 15% are a visible minority, 15% must be a visible minority at your place of business. This is what they call numerical goals.

If you don't meet those numerical goals/quotas when hiring in the future or in a two-year period, you must meet these numerical goals/quotas according to this piece of legislation. What businesses will have to do in a two-year period is meet these goals. If they don't, they're subject to fine, they're subject to the wrath of the government coming down on them and, in some instances, far greater penalties than just a \$50,000 fine.

If you're going out to find somebody to do a job and you're running a business and you are short on women and the best applicant who applies for the job opening happens to be a man or the best 10 applicants happen to be men, you must hire the 11th-best applicant, who is a

woman, because you haven't met your numerical goals. So in essence, you haven't met your quota. That is exactly what this legislation says.

Hon Mr Cooke: That's not true.

Mr Stockwell: They say, "Not true." I've asked at committee, I've asked in the Legislature, many have asked, to explain the difference between "numerical goals" and "quotas," and they can't because there is no difference. Numerical goals is a percentage of your workforce based on visible minorities, aboriginal people, people with disabilities and women.

So what is that? Simply calling it a numerical goal doesn't mean it's not a quota. Just because you want to change the name from "quota" to "numerical goal" doesn't change the definition. It makes it a quota, just like enhanced revenues make it a tax, just because parental contribution makes it user fees. Because you change the name doesn't mean you change the definition. What is the fallout of this piece of legislation?

We have, on October 15, the Chair of Management Board standing up answering a question on my behalf when I asked him, point blank, "Are you now telling us, according to your Management Board minutes, that you are going to exclude certain people from applying for government work?" And, like today, on October 15 the member rose in this place and said "Nothing of the sort." I was incapable of reading and therefore I was absolutely wrong. Then the issue of Job Mart came out. Much like numerical goals and quotas, if he seems to stand up and say it, he thinks it doesn't happen. Well, it happened.

We read November 5, 1993, after hearing the comments from the Chair of Management Board with respect to exclusive hiring practices and we see, as it has been read many times in this House, they have a senior management job, the director of the information technology services branch, and it had in brackets, "restricted." In essence, no white, English-speaking males need apply.

And for a period of some four or five days, the Chair of Management Board stood up and defended this. He defended this policy and, in the same instance, at one point in time during this debate, the Premier defended this hiring practice. I can only assume that the Chair of Management Board and the Premier, defending a certain hiring practice, would likely make it government policy. They were bombarded with phone calls from people across this province who found that ad offensive and they changed their minds. So they changed their minds and are trying to rewrite the history of this particular provincial government.

So what's the difference between this ad that they've denounced and Bill 79? Nothing. There's no difference at all. In this ad they had a quota and the quota said, "We must have one of those affected groups fill this job," and that policy was defended by the minister and the Premier.

So Bill 79 comes out calling for numerical goals, and numerical goals, as I explained earlier, means that a percentage of the people who work in your place, regardless of hiring on merit, must meet the percentage of the community that you have your business in. So what does that make it? It makes it the same as this ad that they

found so effective and progressive and, three days later, so offensive that they withdrew it. It makes it the same as that ad; it makes it a quota or discriminatory. Discriminatory.

Hon Mr Cooke: Wrong.

Mr Stockwell: The Education minister can say "wrong" all he likes because the facts are on the table. The facts are this ad went into the paper. The facts are, your minister defended it. The facts are, the Premier defended it and the fact is, you got bombarded with phone calls and you retreated. If this is their policy, I say to the government: Defend it. Defend your policy. I say: Defend your policy in the truest form. Defend your policy to the people of this province. Defend your ad. If you believe that's the good way to go, if you believe that's right, defend it.

Go out and talk to the people of this province and tell them why it's a good thing to do and what's helpful about it and why it'll make for a better province, but don't try and change the words without changing the definition and pretend you're doing something different, because I find it offensive, because people out there, according to Bill 79, will agree with quotas. There are a lot of people out there who will agree with them.

There are a lot of people who will say: "Yes, we should be hiring based on filling certain requirements of the community around the business. Yes, we should be hiring women based on the fact they're women. Yes, we should be hiring aboriginals based on the fact they're aboriginals. Yes, people with disabilities and women should be hired, and racial minorities, based on those facts." There are people who will agree with you, and that's what you had intended, completely and thoroughly intended, with this ad.

1720

Hon Mr Cooke: Wrong.

Mr Stockwell: Of course you did, Mr Minister of Education. Why did your Premier defend the ad, I ask you. Why did he defend the ad then? Why did your minister defend the ad? Why did he defend the ad?

Hon Mr Cooke: You've distorted everything this afternoon.

Mr Stockwell: I tell you he defended the ad because he agreed with it, then he got bombarded with calls and suddenly political pressure took hold and he didn't agree with it.

The Acting Speaker: Would the member take his seat? I would ask the member not to be provocative. You have the right to express your opinions, but you don't have to bring other members into it.

Mr Stockwell: Madam Speaker, I say to the people watching and to government members, I say to them directly, numerical goals mean—and it can't be any simpler; it's in the legislation—you must meet certain levels of employment with respect to certain groups.

Hon Mr Cooke: Wrong.

Mr Stockwell: If it doesn't mean that, then what is Bill 79 doing? What is Bill 79 doing if it doesn't mean that? Why are companies going through 600- and 700-

page reports to give a program to hire these people in certain jobs to reach certain percentages? I ask them that. If that's not what it means, then what is it supposed to do?

Hon Mr Cooke: You haven't even read the bill.

Mr Stockwell: The Minister of Education sits here. He can't answer a question with respect to why his Premier defended this ad. He can't answer the question of why the minister defended the ad. He can't answer the question of why this ad appeared in the first place. But we don't know it. I asked the question originally and I was told I couldn't read, much like the arrogant attitude of the Minister of Education now—that I can't read. But I could read because it happened. But we're wrong, oh, yes, we're wrong. Although it happened, although what we say took place, although this happened and the Premier defended it, although it happened and the minister defended it, we're wrong.

Hon Mr Cooke: You've distorted the facts.

Mr Stockwell: We're wrong, the Premier didn't defend the ad?

Hon Mr Cooke: You've totally distorted the facts.

Mr Stockwell: The Premier didn't defend the ad, the minister didn't defend the ad? I didn't go on a radio station in Hamilton and have the minister on there for 20 minutes defending the ad, that yes, it was going to discriminate but it was something that we needed to do? I imagined all that?

Hon Mr Cooke: The ad was withdrawn.

Mr Stockwell: The ad was withdrawn after he defended it and you got public pressure to withdraw it.

Hon Mr Cooke: You've distorted what happened in that four or five days.

Mr Stockwell: I've distorted what happened in that four or five days. You know, this is really incredible. The Premier defended it, the minister went on the public hustings defending it and this minister says I distorted what happened. I didn't have a gun to the Premier's head. He said what he said. He defended the ad. I didn't have a gun to the minister's head. He said what he said. He said it was a good idea. All I said was it was discrimination. I'm not putting words in their mouths. They said it was a good idea. They supported it. Now they say, five days later, they don't support it. And I'm distorting what happened? I don't think I'm distorting it.

What we have here is a definition problem. They don't want to say Bill 79 has quotas, so what do they say it has? It has numerical goals, as if changing the words changes the definition. I guess what I'm saying is that if you believe in quotas, go defend them. If you believe that these things should happen, like your ad, then defend it. But don't tell people you're not instituting quotas when that's exactly what you're instituting.

Hon Mr Cooke: There aren't quotas, and the member is distorting the facts again.

Mr Stockwell: The member can suggest there aren't quotas, but I will say to them, as I say to you, that I think the vast majority of Ontarians are going to decide in their own minds that these are quotas couched in NDP verbi-

age, and that verbiage is numerical goals. When that campaign comes up in 18 months, I'll be happy to debate the members opposite, and we'll let the people decide whether or not numerical goals equals quotas.

I'm very comfortable in having that debate publicly with the member for Windsor-Riverside, because I think the public will be very clear, as they were clear with the Job Mart ad. They find it distasteful, they find it discriminatory, they find it unacceptable. It's fundamentally, categorically, absolutely wrong, and in the province of Ontario, the good people of this province will not support discriminatory legislation and they will trounce them for trying it.

The Acting Speaker: At this time I'd like to draw to the attention of the House that in the west gallery we have the former member for Wellington-Dufferin-Peel, Mr Jack Johnson.

Further debate?

Mrs Irene Mathyssen (Middlesex): Some years ago, in a history class, I learned that in an effort to legitimize slavery, religious leaders of the time told parishioners that blacks were childlike creatures, needed guidance from benevolent whites, had a lesser intellectual capacity, and that there was scientific proof for these statements. This so-called proof came from academics and political leaders of the day who spoke publicly and wrote articles on the subject.

I've always wondered at the shame some of those leaders must have felt years later when their names were linked to such despicable statements. Whenever I hear speeches regarding employment equity and statements about victimized white males and quotas from some of the opposition, I'm reminded of that history class.

I'm here today in the House to support the motion put forward by the government House leader. Over the last year, the Ministry of Citizenship has carried out extensive consultations with respect to employment equity. I think it's important for the members to know that a great deal of effort was put into the legislation, not only by the minister and the staff but also by the community at large.

Interjections.

The Acting Speaker: Order, please. Each member in this House has the right to speak and to be heard.

Mrs Mathyssen: I would like to review that hard work and the amount of time spent consulting with the people of Ontario with respect to employment equity.

In November 1990, employment equity was identified as a top priority. Recognizing the amount of input that would be needed, the minister moved forward, and in March 1991, Juanita Westmoreland-Traoré was appointed Ontario's first Employment Equity Commissioner. That summer the commissioner established a consultation advisory committee which included representatives from designated groups, labour, business and employment equity practitioners. The document Working Towards Equity, which was released in November 1991, was to form the basis of a province-wide consultation.

Throughout the time period from December 1991 to March 1992, the office of the Employment Equity Commissioner conducted public hearings, visited com-

munity-based organizations and workplaces in Ontario and attended more than 100 community meetings. Public forums were held in Windsor, London, Hamilton, Thunder Bay, Sudbury, Timmins, Ottawa, Kingston, Toronto and Scarborough. The office received more than 400 written presentations.

The minister's technical advisory committee, which was established, as I said, in the summer of 1991, has provided much-valued input into the legislation and the draft regulation. That legislation was introduced into this House in June 1992. It finally received second reading in July 1993, after more than eight hours of debate.

It was the plan of the government to complete second reading in order to get the bill to committee and out to the public over the summer, but once again employment equity was dealt a poor hand by the members of the opposition parties.

Mr Mills: Ninety-two hours, and you people say closure.

The Acting Speaker: The member for Durham East, come to order.

1730

Mrs Mathysen: The opposition refused to allow the committee to travel over the summer to hear from all Ontarians, and the disappointment was felt province-wide. The opposition refused to allow the committee to advertise. This is tantamount to blocking the rights of the people of the province of Ontario to have their input into the bill.

Just yesterday, representatives of the federation of provincial firefighters expressed dismay that they missed an opportunity to address this issue because the public hearings were not well advertised.

The opposition has provided no sound criticism of Bill 79 throughout the hearings. Granted, we as politicians, and certainly politicians like those in opposition, must scrutinize the conduct of government, but we are also leaders in this province and in our communities and we share a responsibility to promote the advancement of our society and its institutions. But the behaviour of the opposition during committee has been to endlessly repeat rhetoric, and I can assure you, Madam Speaker, that the only ones who are enamoured of the sounds of their own voices and the beauty thereof are the opposition.

Because we listened to the concerns of the public during public hearings, we came forward with amendments which addressed many issues—

Mrs Margaret Marland (Mississauga South): On a point of order, Madam Speaker: I don't see a quorum in the House at this time.

The Acting Speaker: Could the clerk please check to see if there is a quorum present.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is present, Speaker.

Mr Gary Malkowski (York East): On a point of privilege, Madam Speaker: To the member for Mississauga South, maybe the intention is to abuse the parliamentary procedure here. That's not acceptable.

The Acting Speaker: She was not doing that. The

member for Middlesex, please continue.

Mrs Mathysen: Because we listened to the concerns of the public during those public hearings, we came forward with amendments that addressed many issues dealing with workplace, individual and collective rights. We've tried to engage the opposition in constructive input on this bill, but to no avail.

During the public hearings, we heard from many employers, designated group members and bargaining agents. We addressed their issues in a fair and balanced way. During the consultations and hearings process, we heard these groups and agents confirm over and over again their support for employment equity. As government members, our main responsibility with this bill is to take the concept of employment equity and bring it forward in a fair and workable piece of legislation that will have meaning and purpose in our workplaces, a piece of legislation that will take us forward into the workplaces of the future.

The real challenge to us as legislators is to take a concept and a vision of employment equity and transform it into a reality. In an ideal workplace, there would be no need for this law because we would have fair and equitable employment practices everywhere in Ontario. This ideal does not exist.

Like the member for St Andrew-St Patrick, I have some personal experience in this regard. As a young teacher, I was looking for a job and I applied for a job in a school where I had worked for some time and where they knew my work. It came down to a competition between me and a young male. The principal looked at me and said: "Well, I can't hire you. You're a woman. In fact, you're a married woman. As a married woman, you're likely to commit pregnancy. So I'm going to hire this young male because he has his whole career in front of him."

As it happens, I did commit pregnancy, but I went on to resume my career and I worked for 10 years until I was elected to this place.

I don't want that to happen to another woman. I don't want that to happen to another person in this province, be it woman, aboriginal or visible minority. That's why I'm saying let's get on with it. Let's pass this bill and let's make the workplaces of Ontario equitable for each and every one of us.

Mr Perruzza: It's indeed a pleasure to be able to rise once again and speak to the motion we have in front of us today, a motion of closure. For many people here in this chamber and for many people out there who may not know what time allocation actually is, it's a time when we talk about the whole novel concept of when we are going to stop talking and take the next step in the legislative process, in the legislative exercise. That's what we are talking about here today.

I'd like to just very briefly drag something out, some comments that were made earlier. Thanks to Hansard and Instant Hansard and the fact that every word in this place is recorded almost instantaneously and reproduced for us, I would like to just go back to some of the comments that the Liberal member for St George-St David made in

this chamber, where he talked about "getting rid of democracy" because "What we had in this House was a second reading debate that proceeded in its normal course," and about "stamping on democracy." Time allocation is stamping on democracy.

I'll tell you and I'll tell my one Liberal friend who happens to be in the House and my two Conservative friends who happen to be in the House here today to listen to this debate and to participate in this debate. I'll tell them that nothing could be more difficult for a New Democrat to do than to sit here and talk about—

Mr Stockwell: You tell us this every time there's closure.

Mr Perruzza: Madam Speaker, every once in a while the member from Etobicoke participates in the debate. It's too bad that the microphones don't pick him up, but I hear him really loud and clear in this House.

Madam Speaker, I have to tell you, nothing could be more difficult for a New Democrat to do than to talk about the whole concept of stopping the rhetoric and stopping the debate and moving on with the legislation, because I don't believe that there's anybody here in this chamber who believes in inclusiveness, who believes in consultation, who believes in getting out and talking to people more than New Democrats do.

In fact, when you look at the record, you look at the Conservative record on consultation and the Liberal record of involving people in the political process, you will find that they are dismal.

Mr Stockwell: Dismal?

Mr Perruzza: Dismal at best. When you look at and compare our record to both the Conservative and Liberal record on consultation, you will find that we shine right through, that we shine in a way that quite frankly they have never, never been able to do. If you look at and try to assess the amount of time that both Conservatives and Liberals allowed in debate during the 1980s when they governed this province, you will find that in each and every session they presided over, they moved through this Legislature, on average, 30 bills. We have only been able to muster, on average through our sessions, 15. I'll tell you why that's the case.

Mr Stockwell: Because you're incompetent boobs.

The Acting Speaker: Would the member for Etobicoke West come to order.

Mr Perruzza: Because we provided critical, positive, productive opposition to legislation, while they do nothing but obstruct the legislative process.

1740

Their tactics span the spectrum. I'll raise only one example, an example that infuriated me in this Legislature: when the Conservative leader stood up in this House when we had lists and lists of legislation to go through this House, legislation that was designated to create jobs, designed to get jobs off of paper and into workplaces, and he stood up in this House day after day and obstructed the proceedings by reading every little river, every little creek and every little lake in the province of Ontario.

Mr Stockwell: We've heard this speech.

Mr Perruzza: My Conservative colleague says, "I've heard this comment before." You're right. You've heard this comment before and you're going to hear it again and again and again until you move from being an opposition that's just simply designed to obstruct, stall, defer, refer, hang on and hold on: "Let's go out a little more. Let's do a little more. Let's wait and sit on this a little longer. Don't do anything. Don't proceed. Don't move, because we don't want you to do anything."

We've got unprecedented unemployment. We have an economy which sadly needs leadership in just about every sector. We're here, prepared to take leadership, to provide leadership on a sector-by-sector basis to get the economy and to get jobs off the ground and moving and so on, and what do they do? They do nothing but obstruct.

I feel uneasy about supporting a motion of this nature, and quite frankly, I think my Conservative and Liberal friends play on a New Democrat weakness. I think that fundamentally we are soft. I think we can be swayed when arguments are put up in front of us and people say, "You haven't talked to enough people; you haven't consulted enough." The first instinct of a New Democrat is to say: "Okay, let's get out there and talk to a few more people, because sure, we can make it better. Let's include a few more people." We believe in including a few more people, because that's the kind of party and that's the kind of philosophy that I think we all aspire to.

Maybe we should take a page from our Conservative friends' book and maybe we should take another page from our Liberal friends' book on how they ran this place when they governed in the province of Ontario, on how they proceeded with matters. When they needed to go out and consult and when we said, "You need to include more people," more often than not they turned their backs and walked away, and I think that's unfair.

I just want to make one last comment on the employment equity legislation that's in front of us and just speak very briefly on other comments that were raised earlier by my Conservative friend Mr Carr when he talked about how this legislation would impact on business.

Interjections.

The Acting Speaker: Order. I would like to be able to hear the member.

Mr Perruzza: If he had come to the committee hearings, he would have found that business, IBM, their friends—the senior executive vice-president for IBM came and appeared before the committee and said: "This bill is a good bill for business. It's a good bill for us. Please move, please proceed, please get it going, because we believe this is good for us." I'm at a loss for the names of the other business people who came and appeared before the committee. National Grocers, they came and they said, "This is good legislation." Business people, are they our natural allies? Madam Speaker, I ask you. You know this. No, they're not. Are they the friends of the Conservatives, the very people who are criticizing this legislation? Yes, they are.

This is not legislation that prohibits anybody from gaining access to any job; this is legislation that opens

doors. This is not intended to close doors. I think when we come down off our clouds, the Conservatives come down off their blue cloud, the Liberals come down off their red cloud and we come down off our green cloud and get our feet soundly on this planet, on this Earth, and we talk to business people out there, you will find that none of them will fear this legislation. They will welcome it, because it's good for business, because it opens doors; it doesn't close doors.

It's such difficult legislation to write. What this is is a reminder to each and every one of us, hopefully every day of our lives, that certain people in our society have been disadvantaged for so long. What it does is it reminds us that we all need to pull up our socks, to try to do something to improve some difficult situations.

I thank you very much for having allowed me the opportunity to put my comments on the record.

Mr Malkowski: I'm very pleased to be able to rise in my place today to join the debate on the time allocation that is before us. I want to tell you something and I want to talk a little bit from my heart, talk a little bit from my own personal experience and what I've gone through and a bit about the public process that we went through last summer and the people who came before us. A lot of those were people who are marginalized, people who are truly oppressed, those being women, aboriginals, disabled people and visible minorities; all these groups who came forward to us. We know these people worked very hard and came forward sincerely and honestly with recommendations, with ideas and with feedback to us on the legislation.

What I couldn't believe, though, and what I saw throughout those consultation periods were the unacceptable theatrics that were used by members of the opposition, both the Liberals and the Conservatives, whose strategy was to delay and to upset the apple cart and to derail this legislation because they are friends with the right wing, the big media out there and some of the larger corporations that don't want to see this happen.

They are trying very hard to create an atmosphere out there against employment equity, and that was really disappointing to me. That is their intention; they want to continue with the status quo. They don't think this is good, and I couldn't believe what I saw. I expected better of them. This was repeated throughout the hearings.

We want to see the systemic discrimination eliminated, and members of the opposition continued to ask questions and to attack some of our presenters, and the object was to stall and to cause the public to lose confidence in this bill. I would say they are presenting wrong information, being fed of course by whoever it is they get their information from in the opposition, but the whole point was to cause disruption and upset among the public and among our witnesses.

So that is why we are bringing forward time allocation. This is very important to bring forward productive, good employment equity for the citizens of Ontario. I want to say to the members opposite, you better think twice about your role and think about your own family members. I'm sure some of you have disabled people in your families. I know you have women in your families. Think about

some of your friends who may come from visible minorities. Think about some of those people.

I also want to say to you, you're only an accident away from becoming disabled yourselves, you know, and perhaps this legislation may go a long way in helping you some day. So you may want to wake up to see that employment equity is for all of us. It's for all the people who live in this province.

I wish to say that this employment equity legislation is very important. It's going to go a long way to holistically resolving some of the problems that have systemically been presented to us by those members of the target groups. Ontario is a place for everyone, not just for a few elite.

We want to make sure that we bring people forward, that barrier removal really happens so that people in wheelchairs—or whatever obstacles face a person, that those obstacles come down. For example, when you put in a wheelchair ramp, movers and people with strollers use those things. Captioning for deaf people is used by people who are using English as a second language. Young people, as they watch TV, can read along. There are many benefits to some of the technical devices that we see for disabled people that go wider than just a specific population.

This legislation is to stop the unnecessary discrimination that's out there, to give people that first chance. I wish that members opposite would stop with their tactics to upset the apple cart and to create further misconception.

I just want to tell you that my actual first work experience anywhere in a total hearing environment or world was here, as a member of provincial Parliament representing the good people of East York. It's my first opportunity to really participate in a hearing world. I'm very proud, and I'm very proud of the people who elected me to give me this chance. They obviously, by electing me, are saying yes to employment equity to give people that chance they need. That's why I support this legislation and I know that I pass on this message to all members here in this House. I would hope that you would wake up and realize that some day this may help you.

To the members opposite in both the Liberal Party and the Progressive Conservative Party, quit trying to confuse people and scare people and create an atmosphere against employment equity, because it does a disservice to the larger society. Some day you may become disabled yourself. You never know what's going to happen in the future. I would hope that for those disabled kids who are coming up through the system today, this will give them hope to really participate fully in society, and that the people of East York, by electing me, are sending a message. They sent a message to Queen's Park and I want you to realize that this is going to go a long way to contributing to a fuller society.

1750

The Acting Speaker: Further debate, the member for Durham East.

Interjection: Go give 'em hell, Gordon.

Mr Mills: No, I'm going to be very rational. I'm very

pleased to be here this afternoon and stand to debate this. I was a member of the justice committee and I spent the 25 days and the 92 hours on this bill. I watched the antics of the opposition members with their stupidity, with their asking questions to delay the time. It was a disgrace.

But Madam Speaker, I just want to talk to you. I want to start off that I came to Canada in the 1950s. You can tell by my accent that I've got a little bit better since I've been here, but I can tell you I can speak to discrimination at first hand way back in the 1950s when I came. I tried to join the Ontario Provincial Police. I went into the police station in Pembroke and the guy said to me, "What party do you belong to?" I said, "What do you mean, what party?" He said, "Well, you know, you've got to belong to the Big Blue Machine, and what have you got on your hands?" I said, "I haven't got no rings," and he said, "Well, it'll help." I mean, talk about discrimination; they're the creators of it.

Now I want to talk about the people who came before that commission. I can tell you that it was a most moving experience that I've ever experienced in my life. I went back to my riding and I've got some people there who phoned me up and wrote me the most awful letters and said to me: "You shouldn't support this. It's terrible. It's reverse discrimination and everything else." I said to him: "You've missed something of vital importance in this discussion. You should have been there. You should have been in the committee, sitting in the chair beside me and seeing those people come in," and it was most moving.

I remember the fellow from Afghanistan. He came in, he was full of nerves, he was shaking like a leaf and he said—

Interjection.

Mr Mills: You were there. The member for St George-St David was there. He knows, and I'm standing in my place to tell you it exactly as it happened.

The gentleman from Afghanistan, he came in and he was shaking with nerves and he said almost apologetically, "I'm not used to talking publicly." I remember the committee members said words to the effect of: "Well, don't feel intimidated; just go ahead and be yourself," and we tried to make him comfortable. That gentleman sat there and he told us a litany of what's happened to him since he came to Canada. This gentleman was an architect. "The doors are shut out," and he said, "I go home at night and my children, they look at me and they say, 'Dad, why are you driving a taxi?'" He said, "I felt terrible facing my own children about this."

I remember the woman of colour who appeared before us and she gave us a litany of all the jobs that she applied for.

Interjection.

The Acting Chair: Order. Would the member for St George-St David—

Mr Mills: I can tell you, Madam Speaker, she said—

Interjection.

The Acting Chair: Order. The member for Durham East has the floor.

Mr Mills: Thank you very much, Madam Speaker. He

lost control in this House and I wish he would try, because basically he's a nice fellow, but I wish he would control himself.

I remember this woman of colour who came in. She too was so nervous and she broke out into a sweat. I could see it. She said, "I'm not used to being here." So I said to her, "If it's any help to you, I can understand discrimination because I came here; I'm an immigrant too," to try to make her comfortable. She said she went for one job and the people said to her, "You know, like, we're looking for someone with a harmonious voice, you see." So I said, "Crumbs. What do you mean?" She said, "Well, I've got an accent." So I said, "Well, I guess I haven't got a harmonious voice either."

Then this other gentleman came before us. He was from Peterborough. I've never seen a more passionate demand of a legislative committee, a more passionate demand that he be listened to, that he be given the opportunity.

These people don't want everyone pushed away from the table. They want a space at the table to speak. That's what they wanted. They said time and time again: "We don't want to be treated special. We don't want to jump over the white male. We don't want any special consideration. We want to be considered on our merit." That's the problem. Nobody wants to give them space to be heard.

Then there was this other gentleman who came.

Mr Murphy: I agree with that. It should be based on merit.

Interjections.

The Acting Speaker: Would members come to order.

Mr Mills: "I've gone all around this province," he said, "trying to get jobs, and I can't get any." This fellow was an engineer. Can you believe it? He said: "They want Canadian experience. How on earth can I get Canadian experience? Give me the opportunity. Open that door a little bit. I do not want to trample over white people. I just want that opportunity."

The passion that these people had when they appeared before us: I only wish that everybody out in Ontario who somehow is hung up and sees this as a white-male-dominated society that's losing their place in society could have been there.

I have a granddaughter who's 18 years old, just coming 18. She is absolutely infuriated when the member, who's not here now, goes crackers. He says all kinds of things that make me very angry and then he walks out the door. So I say to him, my granddaughter—white, Anglo-Saxon—is absolutely infuriated at the suggestion that she can't compete in this province of Ontario. She's absolutely infuriated with that suggestion, and this is an 18-year-old girl who's growing up in this wonderful province of ours.

The big businesses on side—General Foods was there; Sears was there—are all buying into this.

I've got one minute, 20 seconds left, and in deference to my colleague the member for Yorkview I'm going to sit down, because I get so wrought up with this passionate argument that people do need a place at the table.

Mr Mammoliti: One day in my office in Yorkview, a black woman came into my office and talked about how frustrated she was in terms of getting promoted. She worked with one of the ministries for about 18 years. In 18 years, she'd applied and applied and applied, but had never been promoted. They laid off, and they laid her off; she was one of them who got laid off. Others got promoted. She came to my office and asked why.

I wrote a simple letter that asked for the questions and any interviews she's been involved in, and the successful candidates who got those positions. Within a week, that person was offered a position in the ministry. My question is, why? Why did it take an MPP to write a letter and ask appropriate questions?

The Acting Speaker: The member's time has expired.

Mr Mammoliti: Why did she get offered a position a week after an MPP had asked? There is a problem out there, and I think this is one step—

The Acting Speaker: Would the member take his seat.

Mr Charlton has moved the resolution standing in his name. Is it the pleasure of the House that the motion carry?

All those in favour please say "aye."

All those opposed please say "nay."

In my opinion, the ayes have it.

Call in the members. This is a 15-minute bell.

The division bells rang from 1800 to 1815.

The Acting Speaker: Order. Would all members take their seats. If members would take their seats, we may proceed.

Mr Charlton has moved the resolution standing in his

name. All those in favour of the motion will please rise one at a time.

Ayes

Abel, Akande, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Cooke, Cooper, Coppen, Dadamo, Duignan, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Haslam, Hope, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Murdock (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Rizzo, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, Wessinger, White, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

The Acting Speaker: All those opposed to the motion will please rise one at a time.

Nays

Arnott, Bradley, Caplan, Carr, Conway, Cunningham, Daigeler, Elston, Eves, Fawcett, Grandmaître, Harris, Jackson, Johnson (Don Mills), Jordan, Mahoney, Marland, McClelland, Morin, Murdoch (Grey-Owen Sound), Murphy, O'Neil (Quinte), O'Neill (Ottawa-Rideau), Offer, Poirier, Poole, Runciman, Ruprecht, Stockwell, Sullivan, Turnbull, Villeneuve, Wilson (Simcoe West).

The Acting Speaker: The ayes being 59, the nays being 33, I declare the motion carried.

It being past 6 of the clock, this House stands adjourned until tomorrow morning at 10.

The House adjourned at 1819.

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